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We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. R. 27**14 January 2000**

MARINE LIVING RESOURCES ACT, 1998 (ACT No. 18 OF 1998)

AMENDMENT OF REGULATIONS

The Minister of Environmental Affairs and Tourism has, after consultation with the Consultative Advisory Forum, under section 77 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) made the regulations as set out in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Regulations" means the regulations published under Government Notice No. R. 1111 of 2 September 1998.

Amendment of arrangement of regulations

2. The "Arrangement of Regulations" in the Regulations is hereby amended—

- (a) by the substitution, under the reference to Chapter 3, for the words "CLOSED SEASONS AND CLOSED AREAS" of the words "CLOSED SEASONS AND OTHER TIME RESTRICTIONS AND CLOSED AREAS";
- (b) by the substitution, under the reference to Chapter 3, for the expression "9. Closed seasons" of the expression "9. Closed seasons and other time restrictions"; and
- (c) by the addition to the expression "ANNEXURE 2: CLOSED SEASONS" of the words "AND OTHER TIME RESTRICTIONS".

Substitution of heading to Chapter 3 of regulations

3. The following heading is hereby substituted for the heading to Chapter 3 of the Regulations:

"CLOSED SEASONS AND OTHER TIME RESTRICTIONS AND CLOSED AREAS"

Substitution of regulation 9 of regulations

4. The following regulation is hereby substituted for regulation 9 of the Regulations:

"Closed seasons and other time restrictions

9. No person shall except on the authority of a permit, engage in fishing, collecting, disturbing, keeping or controlling, or be in possession of, any fish during the periods or times specified for each species in Annexure 2."

Amendment of Annexure 2 to regulations

5. Annexure 2 to the Regulations is hereby amended—

- (a) by the substitution for the heading to Annexure 2 of the following heading:

"CLOSED SEASONS AND OTHER TIME RESTRICTIONS";

- (b) by the insertion of the following subheading above item 1:

"Part A: Closed Seasons";

- (c) by the substitution for paragraph (b) of item 7 of the following paragraphs:

"(b) recreational permit—from the first day after Easter Monday to 15 November in any year, both dates inclusive; or

(c) subsistence permit—from 1 May to 15 November in any year, both dates inclusive."; and

- (d) by the addition of the following part after item 8:

"Part B: Other time restrictions

- 1. Abalone: During the open season a recreational permit is only valid for fishing on Saturdays, Sundays and public holidays.
- 2. West coast rock lobster: During the open season a recreational permit is only valid for fishing as follows: For seven days per week as from the beginning of the season until 31 January and thereafter only on Saturdays, Sundays and public holidays, ending with the Easter weekend."

No. R. 27

14 Januarie 2000

WET OP LEWENDE MARIENE HULPBRONNE, 1998
(WET No. 18 VAN 1998)

WYSIGING VAN REGULASIES

Die Minister van Omgewingsake en Toerisme het na oorlegpleging met die Raadplegende Adviesforum kragtens artikel 77 van die Wet op Mariene Lewende Hulpbronne, 1998 (Wet No. 18 van 1998), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywings

1. In hierdie Bylae beteken "die Regulasies" die regulasies soos afgekondig in Goewermentskennisgewing R. 1111 van 2 September 1998.

Wysiging van Indeling van regulasies

2. Die "Indeling van Regulasies" in die Regulasies word hierby gewysig—

- (a) deur die woorde "GESLOTE SEISOENE EN GESLOTE GEBIEDE" onder die verwysing na Hoofstuk 3 deur die woorde "GESLOTE SEISOENE EN ANDER TYDBEPERKINGS EN GESLOTE GEBIEDE" te vervang;
- (b) deur die uitdrukking "9. Geslote seisoene" onder die verwysing na Hoofstuk 3 deur die uitdrukking "9. Geslote seisoene en ander tydbeperkings" te vervang; en
- (c) deur na die woorde "AANHANGSEL 2: GESLOTE SEISOENE" die woorde "EN ANDER TYDBEPERKINGS" te voeg.

Vervanging van opskrif by Hoofstuk 3 van Regulasies

3. Die opskrif by Hoofstuk 3 van die Regulasies word hierby deur die volgende opskrif vervang:

"GESLOTE SEISOENE EN ANDER TYDBEPERKINGS EN GESLOTE GEBIEDE"

Vervanging van regulasie 9 van Regulasies

4. Regulasie 9 van die Regulasies word hierby deur die volgende regulasie vervang:

"Geslote seisoene en ander tydbeperkings

9. Niemand mag, behalwe op gesag van 'n permit, betrokke wees by visvangs, versameling, versteuring, bewaring of beheer van, of in besit wees van enige vis gedurende die tydperke of tye soos vir elke spesie in Aanhangsel 2 uiteengesit."

Wysiging van Aanhangsel 2 van die Regulasies

5. Aanhangsel 2 van die Regulasies word hierby gewysig—

- (a) deur die opskrif by Aanhangsel 2 deur die volgende opskrif te vervang:

"GESLOTE SEISOENE EN ANDER TYDBEPERKINGS";

- (b) deur die volgende sub-opskrif voor item 1 in te voeg:

"Deel A: Geslote Seisoene";

- (c) deur paragraaf (b) van item 7 deur die volgende paragraawe te vervang:

"(b) sportvisvangspermit—vanaf die eerste dag na Paasmaandag tot 15 November in enige jaar, beide datums inklusief; of

- (c) bestaansgrondslagvisvangspermit—vanaf 1 Mei tot 15 November in enige jaar, beide datums inklusief; en

- (d) deur die volgende deel na item 8 by te voeg:

"Deel B: Ander tydbeperkings

- 1. Perlemoen: Gedurende die oop seisoen is 'n sportvisvangspermit slegs geldig vir visvangs op Saterdag, Sondag en openbare vakansiedae.
- 2. Weskuskreef: Gedurende die oop seisoen is 'n sportvisvangspermit slegs soos volg vir visvangs geldig: Vir sewe dae per week vanaf die begin van die seisoen tot 31 Januarie en daarna slegs op Saterdag, Sondag en openbare vakansiedae, eindigende met die Paasnaweek."

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID**

No. R. 21

14 January 2000

HEALTH ACT, 1977 (ACT NO.63 OF 1977)

**PROPOSED REGULATIONS FOR THE CONTROL OF ENVIRONMENTAL
CONDITIONS CONSTITUTING A DANGER TO HEALTH OR A NUISANCE**

The Minister of Health intends, in terms of sections 34(a), (d), (f) *en* (j), 36(d), 37(a), 38(1)(a) and 39(1) of the Health Act, 1977 (Act No. 63 of 1977), and in terms of the corresponding provisions of the laws governing public health in force in any part of the national territory of the Republic, after consultation with the Minister of Agriculture in accordance with section 36 and the Minister of Water Affairs and Forestry and of Environmental Affairs and Tourism in accordance section 36, 37 and 38(1) of the said Act and having complied with the corresponding provisions of the said laws, to make the regulations in the Schedule.

Interested persons are invited to furnish the Minister with any comments or representations on these regulations, by lodging such comments or representations with the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Chief Director of Environmental and Occupational Health), within three months of the date of the publication of this notice.

SCHEDULE

CHAPTER 1

INTRODUCTION

Definitions

1. (1) In these regulations any expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context otherwise indicates -

“accommodation” means-

- (a) a dwelling; and
- (b) any place, including any vehicle, boat or other vessel, in which human beings work;

“biomedical material” includes -

- (a) human and animal anatomical material, such as tissue, organs, body parts, products of conception and animal carcasses;
- (b) non-anatomical human and animal material, which is deemed to be blood, body fluids, extracted teeth, nail clippings and hair;
- (c) medical equipment such as blood bags, intravenous fluid containers or tubes, colostomy or catheter bags, bandaging, blood collection tubes, medication vials and ampoules, microscope slides and other laboratory glass, injection syringes and needles, surgical blades and any other clinical items capable of causing a cut or puncture or injection;
- (d) human and animal vaccines, pharmaceutical products such as drugs and medicines, and chemicals and chemical compounds that are genotoxic;

“corpse” means the body of any deceased human being, including the body of a stillborn child;

“medical waste” includes any waste biomedical material of the following categories:

(a) Class A - Anatomical waste

Human and animal anatomical waste as contemplated in item (a) under the definition of “biomedical material” (excluding blood and body fluids, extracted teeth, nail clippings and hair).

(b) Class B - Infectious non-anatomical waste

Any waste known or clinically assessed to be at risk of being contaminated with micro-organisms and capable or suspected of transmitting and reasonably likely to transmit disease, such as microbiological laboratory waste from surgeries and autopsies performed on patients with communicable diseases and all contaminated waste (left-over food, blood, body fluids, teeth, hair, etc.) from infectious patients, and discarded vaccines.

(c) Class C - Sharps and similar waste

Any clinical item capable of causing a cut or puncture, including but not limited to needles, syringes, blades, clinical glass and similar articles.

(d) Class D - Pharmaceutical and genotoxic chemical waste

- (i) All pharmaceutical products and medicinal chemicals that are no longer useable in patient treatment and have been returned from patient care areas, and that have become outdated or contaminated or have been stored improperly or are no longer required, and items contaminated with cytotoxic or radioactive pharmaceuticals.
- (ii) Chemical waste from diagnostic or experimental work or any other use which is genotoxic (carcinogenic, mutagenic, teratogenic or otherwise capable of altering genetic material), and items contaminated with such chemical waste.

(e) Class E - Radioactive waste

All waste that should be handled and disposed of in accordance with the Nuclear Energy Act, 1993 (Act No. 131 of 1993);

"nuisance" means, complementary to the exposition in section 1 of the Act, the following specified activities, conditions or things hereby declared to be a nuisance in terms of section 39(2) of the Act:

Any activity, condition, premises or thing which, on account of effluent, smoke, vapours, gas, dust, chemical effluvia, odours, noise, vibration, radiation, refuse, waste products, dirt, chemical or biochemical material, microbial infection, vermin, vegetation, overcrowding, lack of proper general hygiene, ventilation, lighting, design, situation or on account of any other cause or practice whatsoever, is/are injurious or dangerous to health or which is/are offensive, including, without affecting the generality of the foregoing, any facility for the storage, distribution or handling of water that is likely to be used by man for domestic purposes or consumption, including such water itself, which is contaminated or polluted;

"scheduled trade" means a business, trade, occupation or activity referred to in Annexure 1 of these regulations;

"the Act" means the Health Act, 1977 (Act No 63 of 1977);

"vermin" means rodents, and includes lice, fleas, cockroaches, flies and any other creature which may infest humans, animals or premises.

(2). A reference in these regulations to "local authority" shall be interpreted as a reference to -

(a) the Director-General -

(i) where the local authority concerned -

(aa) has failed to comply with a notice issued in terms of section 15(1) of the Act; or

(bb) has, by notice in terms of section 20(5)(a) of the Act, been relieved of the power or duty concerned;

- (ii) in respect of an area where there is no local authority as contemplated in section 30(1) of the Act;
- (b) the member of the Executive Council for Health of a province where the local authority concerned has failed to comply with a notice issued in terms of section 18(1) of the Act.

CHAPTER 2

NUISANCES IN GENERAL

Prohibition of a nuisance

2. No person shall cause a nuisance or permit a nuisance to exist.

Abatement of a nuisance

3. (1) If there is reason to believe that -
- (a) a nuisance exists; or
 - (b) an activity referred to in regulation 4 is being conducted in such a manner that there is a substantial risk of a nuisance arising,

the local authority may serve a written notice on the author of the nuisance or, if he or she cannot be identified, on the owner or occupier of the premises on which such nuisance exists or activity is conducted, calling on him or her to abate the nuisance or prevent the risk, as the case may be, within such period and according to such prescriptions and measures, if any, as may be specified in such notice.

(2) If a person on whom a notice referred to in subregulation (1) was served fails to comply with the terms of such notice, such person shall be guilty of an offence and the local authority may -

- (a) enter the premises in question and take all such steps as may be necessary to abate the nuisance or prevent the risk, as the case may be, and may recover the costs of so doing from such person;

- (b) in the case of an activity referred to in regulation 4(1), suspend the registration concerned until the nuisance has been abated or the risk has been prevented, as the case may be.

CHAPTER 3

REGISTRATION OF PREMISES WHERE CERTAIN ACTIVITIES ARE CONDUCTED

Registration required to carry on a scheduled trade or bury a corpse

- 4. (1) No person shall -
 - (a) carry on a scheduled trade referred to in Annexure 1; or
 - (b) bury a corpse,in or on any premises which have not been registered by the local authority for that purpose.

- (2) The provisions of -
 - (a) subregulation (1)(a) shall
 - (i) apply only to a scheduled trade which was being carried on immediately before the date of commencement of these regulations from the first day following six months after such commencement;
 - (ii) not apply to a scheduled trade the commencement of which is prohibited without a licence, a permit, permission or other authority in terms of a by-law or regulation of the local authority concerned;
 - (b) subregulation (1)(b) shall not apply in an area in which the burying of corpses or the establishment or maintenance of a cemetery is regulated in terms of any other law.

- (3) The premises on which any scheduled trade is carried on under a licence issued in terms of any regulation repealed by regulation 21 shall be deemed to have been registered as contemplated in subregulation (1)(a).

Public notice prior to application for registration

5. (1) Any person seeking registration of any premises for the purpose of conducting thereon an activity referred to in regulation 4 shall give notice of such intention substantially in the form of Form A in Annexure 2 of these regulations -

- (a) subject to regulation 6(1), by publication in the local press;
- (b) by furnishing the occupier of every adjoining site with a copy of such notice;
- (c) by displaying a copy of such notice on a form supplied by the local authority conspicuously on the road frontage of the site to which the application relates, for a period of at least 14 days, commencing from the date of publication referred to in paragraph (a).

(2) Any person may object to such registration within 30 days of the publication referred to in subregulation (1)(a) by giving written notice, setting out the grounds of the objection, to the local authority and serving a copy of such notice on the applicant by registered post or by hand: Provided that the grounds of such objection shall be restricted to the likelihood of a danger to health or a nuisance arising from the proposed activity on the premises concerned.

Furnishing of information on application for registration

6. (1) A person seeking registration of any premises shall, no later than the date of publication in the press of a notice referred to in regulation 5(1)(a), apply to the local authority for registration of such premises substantially in the form of Form B in Annexure 2, and shall -

- (a) in the case of -
 - (i) a scheduled trade, furnish particulars of -
 - (aa) the nature of the activity which will be conducted;
 - (bb) the plant, works and buildings to be erected or used in connection with such activity, including the number, content and type of any boilers, digesters, driers or other apparatus or installations which will be used for the purpose of conducting such activity;

- (cc) the location and size of the premises;
- (dd) the nature and quantity of the processes and raw materials which will be used and of the products and by-products which will be produced in conducting such activity;
- (ee) any condition and thing that is likely to lead to the existence of a nuisance or a substantial risk of a nuisance arising in conducting such activity;
- (ff) the measures to be taken for preventing any such nuisance or risk;
- (gg) the nature, quantity and/or volume of all waste material that will be generated or handled on the premises;
- (ii) a cemetery, furnish particulars of the location, the water table, stormwater drainage, the soil and the slope of the land; and
- (b) furnish proof of compliance with regulation 5(1).

(2) A local authority may in writing request any person who has furnished information as referred to in subregulation (1) to provide further or more detailed information in connection with any particular, and the person concerned shall furnish the local authority with such information.

Exemptions

7. If, in the opinion of an environmental health officer in the service of a local authority or, where there is no such environmental health officer, of the person in charge of the public health service of the local authority, after consulting any environmental health officer in private or public practice, compliance with any provision of regulation 5 or 6 would serve no useful purpose by reason of the small volume of the scheduled trade concerned or the small scale on which it will be carried on, the local authority may exempt in writing any person from compliance with any such provision.

Registration

8. (1) A local authority may, after considering any objection lodged and if satisfied that no danger to health or no nuisance is likely to be caused by conducting the activity in question on the premises concerned, register the premises subject to such conditions as it may determine.

(2) A local authority may -

- (a) grant an application for registration on condition that the premises shall, before they are registered, comply with any requirement stipulated by the local authority and made known in writing to the applicant; or
- (b) register the premises subject to a specified condition which the premises shall meet within a set period.

(3) Such registration may be for an indefinite or specified period and, in the latter case, may be renewed from time to time on application.

(4) Once a local authority has granted or denied an application for registration of any premises it shall, as soon as is practicable -

- (a) furnish the applicant concerned with a registration certificate substantially in the form of Form C in Annexure 2; or
- (b) notify the applicant concerned in writing of -
 - (i) the reasons for its decision; and
 - (ii) the applicant's right of appeal in terms of regulation 9.

(5) Any person objecting to the application shall as soon as practicable be notified in writing by the local authority of the decision and of his or her right of appeal, if any, in terms of regulation 9.

Appeal

9. Any person who feels himself or herself aggrieved by a decision of the local authority in terms of regulation 8 may appeal against the decision in writing to the Member of the Executive Council responsible for Health of the province concerned within one month after receiving the notice in terms of regulation 8(4) or 8(5).

Change of activity

10. The provisions of regulations 4(1)(a), 5, 6, 7, 8 and 9 shall *mutatis mutandis* apply in respect of any -

- (a) increase in the volume of the activity concerned or in the scale on which it is conducted;
- (b) substantial change in the method of conducting the activity;
- (c) extension, alteration or addition to any plant, works or building used for the purpose of carrying on a scheduled trade;
- (d) substantial alteration of the locations on the premises where the different parts of processes of a scheduled trade are carried on.

CHAPTER 4

REQUIREMENTS IN RESPECT OF ACCOMMODATION

Structural requirements for accommodation

11. No person shall let or otherwise grant the use of accommodation to any other person unless -

- (a) the exterior walls are such that they prevent the permeation of -
 - (i) wind and rain into the interior of the accommodation;
 - (ii) dampness onto the interior surfaces of the walls;
- (b) the floors are such that they prevent the permeation of dampness into the interior of the accommodation, including the interior surfaces of the walls;
- (c) the roof is such that it prevents the permeation of -
 - (i) wind and rain into the interior of the accommodation;
 - (ii) dampness onto the interior surfaces of the walls;
- (d) every access opening in the exterior walls is provided with a closable door which, when it is in a closed position, prevents the permeation of rain into the interior of the accommodation;
- (e) every window is such that when any such window is in a closed position rain will not permeate into the interior of the room and the natural illumination of the room will not be diminished.

Lighting and ventilation requirements for accommodation

12 (1) No person shall let or otherwise grant the use of accommodation to any other person unless -

- (a) each room is adequately illuminated by means of windows the total area of which is equal to at least 10 per cent of the floor area of the room and of that total area an area equal to at least five per cent of such floor area can be opened;
- (b) every window in a room is so positioned in relation to any other window or ventilation opening in the room as to facilitate adequate cross-ventilation.

(2) The prohibition in subregulation (1) shall not apply to any room which is adequately mechanically ventilated in accordance with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977).

Drinking water, sanitation and refuse disposal

13. The owner of land or property or, in the case of rented land or property, the lessor of land or property on which any accommodation is situated shall -

- (a) provide to the persons in the accommodation within such distance from the accommodation as is reasonable in the circumstances of the dwellings and occupiers -
 - (i) a regular supply of potable water which is sufficient for the use of the persons in the accommodation;
 - (ii) latrines which are sufficient in number and capacity for the use of the persons in the accommodation;
- (b) cause the household refuse arising in respect of the accommodation to be properly removed and disposed of at least once a week; and
- (c) cause the faecal matter arising in respect of the accommodation to be properly stored and, except where pit latrines or a method for the adequate treatment of such matter by means of an enzymatic or chemical process is provided, properly removed and disposed of.

Application of chapter

14. (1) The provisions of regulations 11, 12 and 13 shall apply whether or not accommodation or the erection thereof complies with the requirements or formalities of any applicable law.

(2)(a) The provisions of regulation 13 shall not apply in the event of unpermitted squatting -

- (i) to an owner of land or premises who had no knowledge of the existence on his or her land or premises of the accommodation in question or the use of his or her premises for the purpose of accommodation, as the case may be; or
- (ii) to an owner of land or premises who took all reasonable steps to remove such accommodation or to prevent the use of his or her land or premises for the purpose of accommodation, as the case may be.

(b) The onus of proving that an owner of land or premises had no knowledge or that he or she took steps as contemplated in subparagraphs (i) and (ii) of paragraph (a), respectively, shall be on such owner.

(3) In the circumstances contemplated in subregulation (2), the provisions of regulation 13 shall apply to the local authority in whose area of jurisdiction such land or premises is or are situated as if such local authority were the owner of such land or premises.

CHAPTER 5

CONTROL OF VERMIN AND VECTORS

Owner and occupier to prevent vermin and vector infestation

15. Any owner and person occupying premises shall take all reasonably practicable measures to prevent such premises from becoming infested with vermin or vectors.

Extermination of vermin or vectors in infested premises

16. Where premises are infested with vermin or vectors, the owner of and person occupying such premises shall take all reasonably practicable measures to exterminate such vermin or vectors and prevent any reinfestation.

CHAPTER 6

HANDLING AND DISPOSAL OF MEDICAL WASTE

Scope of application

17. Compliance with the regulations of this chapter shall be mandatory for all generators of medical waste and, where applicable, for all transporters and disposers of medical waste, and shall be mandatory at especially -

- (1) all health care facilities such as places or sites where professional health services are dispensed to human patients, including hospitals, clinics (mobile and stationary), sick bays (i.e. at old-age homes), day units, hospices, rehabilitation centres, doctors' (all medical and oral health practitioners) and professional nurses' consulting rooms, facilities for rendering midwifery services, free-standing operating theatres, pharmacies and all similar sites;
- (2) all pathological and microbiological laboratories or places where biological research is carried out, and the premises of blood transfusion services;

- (3) the facilities of all manufacturers and distributors of pharmaceutical products or vaccines;
- (4) all mortuaries and undertaker premises;
- (5) all veterinary consulting rooms, animal hospitals or treatment stations and kennels;
- (6) any private dwelling or household or any other premises where the health risk constitution by the quantity and nature of medical waste generated is such that such waste should be handled in accordance with these regulations.

Duties of generators transporters and disposers of medical waste

18. (1) Subject to the provisions of the Environment Conservation Act, 1989 (Act No. 73 of 1989), and any other applicable legislation, every generator of medical waste and, where applicable, every transporter and disposer of medical waste shall cause all such waste to be sorted, packed, contained, handled, stored, transported and disposed of in accordance with this chapter.

(2) The activities referred to in subregulation (1) shall be carried out in such way that the medical waste generated does not cause a nuisance or a health or safety hazard for any handler thereof or any other person or the environment in general.

(3) A local authority may, on written application with the consent of the members of the Executive Council for Health and for the Environment of the province concerned, allow any person to dispose of medical waste in any other acceptable manner that ensures that such medical waste and method of disposal will not constitute a nuisance or a health or safety hazard for any handler thereof or any other person or the environment in general.

Supplementary specifications regarding medical waste

19. (1) (a) Cytotoxic or genotoxic pharmaceutical waste and associated contaminated materials, e.g. syringes, tubing, containers, preparation materials, vials and ampoules, shall be discarded into containers which are labelled "cytotoxic waste" or "genotoxic waste".

(b) Sharp objects (needles, broken glass, etc.) contaminated with cytotoxins shall be placed into labelled "cytotoxic sharps" containers. (Provision should be made in this regard for the safe discarding of the longest Trocar needles.)

(2) (a) Perishable medical waste shall be stored at a temperature not exceeding 4°C, and should preferably be frozen.

(b) All medical waste storage areas shall be vermin-, insect- and rodent proof, have an easily cleanable floor and wall finishing and general construction, be totally enclosed, adequately ventilated and lighted and be lockable.

(c) All medical waste shall be stored in a medical waste storage area until it is loaded or removed for final disposal.

(d) On-site spills shall be cleaned up immediately.

(e) All interior surfaces of such storage areas shall be meticulously disinfected and cleaned on a daily basis.

(3) Provision shall be made for unrefrigerated waste to be removed also on weekends and public holidays.

(4) (a) The loading compartments of transport vehicles for medical waste shall be lockable and shall comply with the following requirements:

(i) The compartment shall be thermically insulated and capable of maintaining a refrigerated transport temperature not exceeding 4°C.

The interior panel construction shall be so tightly joined as to ensure a removable liquid- and airtight seal.

(ii) The interior surfaces shall be painted white with a durable duco or enamel paint or have a finish approved by the local authority.

(iii) There shall be a threshold of at least 100 mm at the doors to prevent leakages spilling outside.

(v) The compartment shall be equipped with Spillkits approved by the local authority that are regularly checked and replenished.

(b) The transport vehicles shall be manned by a team adequately trained in the effective use of the Spillkits and clean-up procedures.

(c) The loading compartments shall be meticulously disinfected and chemically cleaned on a daily basis.

(5) The incinerator and incineration process shall comply with the prescriptions of the local authority and all relevant legislation, such as the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), the Hazardous Substances Act, 1973 (Act No. 15 of 1973), and the Environmental Conservation Act, 1989 (Act No. 73 of 1989), in order to deal with waste having a wide variation in burning characteristics, ranging from highly volatile and high calorific-value plastics to high water-content material such as placentae.

CHAPTER 7

LATRINES AT PUBLIC GATHERINGS

Sufficient latrines to be supplied at public gatherings

20. Any person who holds any meeting, performance or other stationary event shall for the duration of the event make available latrines which in the opinion of the local authority are sufficient in number and capacity for use by the numbers of persons attending the event.

CHAPTER 8

REPEAL

Repeal of regulations

20. The following regulations are hereby repealed:

- (a) The regulations in force throughout KwaZulu-Natal, except within urban limits, in respect of the establishment or carrying on of certain factories, businesses, trades or work, published by Government Notice No. R.1047 of 25 June 1924;
- (b) the Pietermaritzburg offensive trade regulations, published by Government Notice No. R.1391 of 30 July 1929;
- (c) the offensive trade regulations for the City of Cape Town, published by Government Notice No. R.402 of 28 February 1930, as amended by Government Notices No's. R.614 of 21 April 1944 and R.477 of 5 April 1963;
- (d) the offensive trade regulations in force throughout the areas of all urban and rural local authorities in the Cape Province other than the Municipality of Cape Town, published by Government Notice No. R.1606 of 9 November 1934, as amended by Government Notices No's. R.35 of 14 January 1944, R.81 of 26 January 1961 and R.478 of 5 April 1963;
- (e) the offensive trade regulations for the Borough of Amanzimtoti, published by Government Notice No. R.2103 of 30 December 1966;
- (f) the regulations for the Township of Richards Bay relating to offensive trades, published by Government Notice No. R.1287 of 23 June 1978, as amended by Government Notice No. R.999 of 3 April 1992.

ANNEXURE 1

SCHEDULED TRADES

1. Abattoirs (1)
2. Aerial crop spraying (27)
3. Asbestos mining or processing (3)
4. Asphalt plants (4)
5. Battery manufacturing, reconditioning or servicing (5)
6. Breeding establishments (49)
7. Breweries (7)
8. Brick or tile manufacturing (45)
9. Carbon black manufacturing, processing or handling (25)
10. Cement manufacturing or processing (40)
11. Ceramic or glass works (22)
12. Charcoal or coke manufacturing or packing (19)
13. Chemicals manufacturing or processing (8)
14. Coal yards (42)
15. Compost works (24)
16. Crematoria (26)
17. Dealing in bones, skins or hide (16)
18. Discos and nightclubs and similar late-night, music-based, noise-producing entertainment establishments (10)
19. Distilleries (11)
20. Electroplating, enamelling or galvanising works (12)
21. Fertilizer works (6)
22. Fish, mollusc, crayfish, abalone or seaweed canning, curing, drying, storing or processing (51)
23. Foundries and metal and glass recycling works (41)
24. Fungicide, herbicide or pesticide manufacturing in bulk (48)
25. Gas works (14)
26. Glass-fibre manufacturing, storing, moulding or finishing (15)
27. Hide or skin processing or handling (20)
28. Industrial container washing or reconditioning (54)
29. Intensive animal-feeding systems or pig farming (21)
30. Kennels and stable accommodation (9)

31. Milling (55)
32. Mechanical engineering works (28)
33. Paint or surface coating manufacturing (50)
34. Ore processing, handling or storing (13)
35. Panel beating (29)
36. Plastic products works (31)
37. Processes for the manufacture and rendering of by-products of organic matter of animal, fish or bird origin (32)
38. Processes for the manufacture and rendering of organic matter of plant origin (33)
39. Pulp, paper or board manufacturing (34)
40. Refineries (35)
41. Rediscing of brake shoes (17)
42. Rubber moulding or vulcanising or tyre retreading works (37)
43. Sand - or shotblasting (38)
44. Sewage treatment, transport or disposal (36)
45. Sand winning (39)
46. Shredding or teasing of coir, flock or textile (52)
47. Stone quarrying, cutting, crushing, dressing or processing (23)
48. Spinning, weaving or braiding works (43)
49. Spray-painting, coating or finishing (44)
50. Timber products or furniture manufacturing or reconditioning (18)
51. Vegetable oil extraction or processing (30)
52. Vehicle or general scrapyards (53)
53. Waste incineration, waste (including medical waste) disposal sites and waste collecting, sorting, treating or processing sites (2)
54. Welding (47)
55. Wool scouring or washing (56)
56. Yeast manufacturing (46)

ANNEXURE 2
FORMS

Form A
[regulation 5 (1)]

**NOTICE OF APPLICATION FOR REGISTRATION OF PREMISES
TO CARRY ON A SCHEDULED TRADE OR BURY A CORPSE**

Notice is hereby given that an application will be made in terms of the Regulations relating to the Control of Environmental Conditions Constituting a Danger to Health or a Nuisance made under the Health Act, 1977 (Act No. 63 of 1977), for the registration of the premises situated at

.....(*street address or title deed description of premises*)

for the purpose of

.....

(*state whether commencing or changing activity and, if changing activity, in precisely what way; not applicable to burial of corpses*) the activity of.....

.....

(*full description of activity*) by

(*full name of applicant*) of.....(*address of applicant*)

Any person may lodge an objection against such registration within 30 days of the date of publication of this notice, in writing, setting out the grounds for his or her objection with(*local authority*).

Any objector shall serve a copy of such objection also on the applicant by registered post or by hand.

The application may be inspected at the offices of the health department of the said local authority during normal office hours.

Form B**[regulation 6(1)]****APPLICATION FOR REGISTRATION OF PREMISES**

.....(full name of applicant)
 hereby applies in terms of the Regulations relating to the Control of Environmental
 Conditions Constituting a Danger to Health or a Nuisance made under the Health Act,
 1977 (Act No. 63 of 1977), for the registration of the premises situated at
(street address or title deed description) for the purpose of

 (state whether commencing or changing activity and, if changing activity, in precisely what way; not
 applicable to burial of corpses) the activity of

 (full description of activity).

The attached particulars are furnished in respect of the activity concerned (attached full
 particulars referred to in regulation 6(1)(a) or 6(1)(a) read with 10, as the case may be).

Proof of publication in the local press of the applicant's notice of his or her or its
 intention to make this application is attached (attach full page on which notice appeared in
 newspaper concerned).

Date:

Signed: (for applicant)

.....

 (address of applicant)

Form C**[regulation 8(4)(a)]****CERTIFICATE OF REGISTRATION**

In terms of the Regulations relating to the Control of Environmental Conditions Constituting a Danger to Health or a Nuisance made under the Health Act, 1977 (Act No. 63 of 1977), the premises situated at

.....(street address or title deed description)

are hereby registered for the purpose of

.....
(state whether commencing or changing activity and , if changing activity, in precisely what way; not applicable to burial of corpses) the activity of

.....
(full description of activity).

The registration is subject to the following conditions:

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

Date:

.....(local authority)

WET OP GESONDHEID, 1977 (WET NO.63 VAN 1977)**REGULASIES BETREFFENDE DIE BEHEER OOR OMGEWINGSTOESTANDE WAT 'N GESONDHEIDSGEVAAR INHOU OF 'N OORLAS UITMAAK**

Die Minister van Gesondheid is voornemens om kragtens artikel 34(a), (d), (f) en (j), 36(d), 37 (a), 38 (1)(a) en 39(1) van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), en ingevolge die ooreenstemmende bepalings van die wette betreffende openbare gesondheid wat van krag is in enige deel van die nasionale grondgebied van die Republiek, na oorleg met die Minister van Landbou ooreenkomstig artikel 36 en die Minister van Waterwese en Bosbou en van Omgewingsake en Toerisme ooreenkomstig artikels 36, 37 en 38(1) van genoemde Wet en na voldoening aan die ooreenstemmende bepalings van genoemde wette, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne drie maande na die datum van publikasie van hierdie kennisgewing gemotiveerde kommentaar of verhoë oor die beoogde regulasies in te dien by die Direkteur-generaal: Gesondheid, Privaatsak X828, Pretoria, 0001 (vir die aandag van die Hoofdirekteur: Omgewingsgesondheid).

BYLAE**HOOFSTUK 1****INLEIDING****Woordomskrywing**

1. (1) In hierdie regulasies het enige uitdrukking waaraan 'n betekenis in die Wet geheg is daardie betekenis en, tensy uit die samehang anders blyk, beteken -

“akkommodasie” -

- (a) 'n woning; en
- (b) enige plek, met inbegrip van enige voertuig, boot of ander vaartuig, waarin mense werk;

“biomediese materiaal” ook -

- (a) menslike en dierlike anatomiese materiaal, soos weefsel organe, liggaamsdele, swangerskapprodukte en dierekarkasse;
- (b) nie-anatomiese menslike en dierlike materiaal wat geag word bloed, liggaamsvloeistowwe, uitgetrekte tande, naelknipsels en hare te wees;
- (c) mediese toerusting soos bloedsakke, binneaarsevloeistofhouers of -buisse, kolostomie- of katetersakke, wondverbande, bloedversamelbuisse, medisyneflesse en -ampules, mikroskoopskyfies en ander laboratoriumglas, spuite en spuitnaalde, snykundeleemte en enige ander kliniese items wat 'n sny of prik of inspuiting kan veroorsaak;
- (d) menslike en dierlike vaksienes, farmaseutiese produkte soos doofmiddels en medisyne, en chemikalieë en chemiese verbindings wat genotoksies is;

“die Wet” die Wet op Gesondheid, 1977 (Wet No. 63 van 1977);

“gelyste bedryf” 'n besigheid, bedryf, beroep of bedrywigheid bedoel in Aanhangsel 1 van hierdie regulasies;

“lyk” die liggaam van enige gestorwe mens, met inbegrip van die liggaam van 'n doodgebore kind;

“mediese afval” ook enige biomediese afvalmateriaal van die volgende kategorieë:

(a) Klas A - Anatomiese afval

Menslike sowel as dierlike anatomiese afval soos bloed in subitem

(a) onder die omskrywing van “biomediese materiaal” (uitgesonderd bloed en liggaamsvloeistowwe, uitgetrekte tande, naelknipsels en hare);

(b) Klas B - Besmetlike nie-anatomiese afval

Enige afval wat bekend is of klinies geag word ‘n risiko in te hou dat dit besmet kan wees met mikro-organismes en siekte kan versprei of vermoedelik versprei of redelikerwys versprei, soos mikrobiologiese laboratoriumafval afkomstig van operasies, outopsies uitgevoer op pasiënte met oordraagbare siektes en alle besmette afval (oorskietkos, bloed, liggaamsvloeistowwe, tande, hare, ens.) vanaf besmetlike siektepasiënte en weggegooide vaksiene.

(c) Klas C - Skerpgoed en soortgelyke afval.

Enige kliniese item wat ‘n sny of prik kan veroorsaak, met inbegrip van, maar nie beperk nie tot spuitnaalde, spuite, lemme, kliniese glas en soortgelyke artikels.

(d) Klas D - Farmaseutiese en genotoksiese- chemikalieë-afval

(i) Alle farmaseutiese produkte en medisinale chemikalieë wat nie meer bruikbaar by die behandeling van pasiënte is nie en vanaf pasiëntsorgareas teruggestuur is, en wat verouderd geword het of wat gekontamineer geraak het of wat onbehoorlik geberg is of wat nie langer benodig word nie en items wat met sitotoksiese of radioaktiewe farmaseutiese produkte gekontamineer is.

(ii) Chemiese afval vanaf diagnostiese of eksperimentele werk of welke ander gebruik ook al wat genotoksies (karsinogenies, mutagenies, teratogenies of andersins in staat is om genetiese materiaal te versander), en items wat met sodanige chemiese afval besmet is.

(e) Klas E - Radioaktiewe afval

Alle afval wat ooreenkomstig die Wet op Kernenergie, 1993 (Wet No. 131 van 1993), gehanteer en mee weggedoen moet word;

“ongediertes” knaagdiere, en ook luise, vlooië, kokkerotte, vlieë en enige ander gedier wat mense, diere of persele kan besmet;

“oorlas”, aanvullend tot die uiteensetting in artikel 1 van die Wet, die volgende gespesifiseerde aktiwiteite, toestande of dinge wat hierby ingevolge artikel 39(2) van die Wet verklaar word 'n oorlas te wees:

Enige aktiwiteit, toestand, perseel of ding wat weens uitvloei, rook, dampe, gas, stof, chemiese uitwaseming, reuke, geraas, vibrasie, straling, afval, afvalprodukte, vullis, chemiese of biochemiese materiaal, mikrobiologiese infeksie, ongediertes, plantegroei, oorbewoning, gebrek aan behoorlike algemene higiëne, ventilasie, verligting, ontwerp, ligging of weens enige ander oorsaak of praktyk hoegenaamd skadelik of gevaarlik is vir die gesondheid of aanstootlik is, met in begrip van en sonder om die algemeenheid van voorgaande te raak, enige fasiliteit vir die berging, verspreiding of hantering van water wat waarskynlik deur mense vir huishoudelike doeleindes of konsumpsie gebruik staan te word, met in begrip van sodanige water as sodanig, wat gekontamineer of besoedel is.

(2) 'n Verwysing in hierdie regulasies na " plaaslike bestuur" word uitgelê as 'n verwysing na -

(a) die Direkteur-generaal -

(i) waar die betrokke plaaslike bestuur-

(aa) versuim het om gehoor te gee aan 'n kennisgewing uitgereik ingevolge artikel 15(1) van die Wet; of

(bb) by kennisgewing ingevolge artikel 20(5)(a) van die Wet onthef is van die bevoegdheid of betrokke plig;

(ii) ten opsigte van 'n gebied waar daar geen plaaslike bestuur is nie, soos bedoel in artikel 30(1) van die Wet;

(b) die Lid van die Uitvoerende Raad vir Gesondheid van 'n provinsie waar die betrokke plaaslike bestuur versuim het om gehoor te gee aan 'n kennisgewing uitgereik ingevolge artikel 18(1) van die Wet.

HOOFSTUK 2

OORLASTE IN DIE ALGEMEEN

Verbod op 'n oorlas

2. Niemand mag 'n oorlas veroorsaak of toelaat dat 'n oorlas bestaan nie.

Verwydering van 'n oorlas

3. (1) Indien daar rede is om te glo dat -
- (a) 'n oorlas bestaan; of
 - (b) 'n bedrywigheid bedoel in regulasie 4 op so 'n wyse verrig word dat daar 'n wesenlike risiko bestaan dat 'n oorlas kan ontstaan,
- kan die plaaslike bestuur aan die veroorsaker van die oorlas of, indien hy of sy nie geïdentifiseer kan word nie, aan die eienaar of okkupeerder van die perseel waarop sodanige oorlas bestaan of bedrywigheid verrig word, 'n skriftelike kennisgewing beteken wat hom of haar aansê om die oorlas binne die tydperk en ooreenkomstig sodanige voorskrifte en maatreëls, indien enige, wat in sodanige kennisgewing vermeld word, te verwyder of die risiko te voorkom, na gelang van die geval.

- (2) Indien die persoon aan wie 'n kennisgewing bedoel in sub-regulasie (1) beteken is, versuim om aan die bepalings van sodanige kennisgewing te voldoen, is sodanige persoon skuldig aan 'n oortreding en kan die plaaslike bestuur -

- (a) die betrokke perseel betree en al die stappe doen wat nodig is om die oorlas te verwyder of die risiko te voorkom, na gelang van die geval, en die koste daaraan verbonde van sodanige persoon verhaal;
- (b) in die geval van 'n bedrywigheid in regulasie 4(1) bedoel, die betrokke registrasie opskort tot die oorlas verwyder is of die risiko voorkom is, na gelang van die geval.

HOOFSTUK 3

REGISTRASIE VAN PERSEEL WAAR SEKERE BEDRYWIGHED VERRIG WORD

Registrasie vereis om 'n gelyste bedryf te beoefen of 'n lyk te begrawe

4. (1) Niemand mag -

- (a) 'n gelyste bedryf bedoel in Aanhangsel 1 beoefen nie; of
- (b) 'n lyk begrawe nie,

in of op enige perseel wat nie deur die plaaslike bestuur vir daardie doel geregistreer is nie.

(2) Die bepalings van-

- (a) subregulasie (1)(a) is-
 - (i) van toepassing slegs op 'n gelyste bedryf wat beoefen is onmiddellik voor die datum van inwerkingtreding van hierdie regulasies vanaf die eerste dag wat volg op sodanige inwerkingtreding;
 - (ii) nie van toepassing nie op 'n gelyste bedryf waarvan die inwerkingtreding verbode is sonder 'n lisensie, 'n permit, toestemming of ander magtiging ingevolge 'n verordening of regulasie van die betrokke plaaslike bestuur;
- (b) subregulasie (1)(b) is nie van toepassing nie in 'n gebied waar die begrawing van lyke of die aanlê of instandhouding van 'n begraafplaas ingevolge enige ander wet gereël word.

(3) 'n Perseel waarop enige gelyste bedryf beoefen word kragtens 'n lisensie uitgereik ingevolge enige regulasie wat by regulasie 21 herroep word, word geag geregistreer te wees soos beoog in subregulasie (1)(a).

Openbare kennisgewing voor aansoek om registrasie

5. (1) Enigiemand wat 'n perseel wil laat registreer ten einde 'n bedrywigheid bedoel in regulasie 4 daarop te verrig, moet wesenlik van sodanige voorneme kennis gee in die vorm van Vorm A in Aanhangsel 2 van hierdie regulasies -

- (a) behoudens regulasie 6(1), deur publikasie in die plaaslike pers;
- (b) deur aan die okkupeerder van elke aangrensende erf 'n afskrif van sodanige kennisgewing te verskaf;
- (c) deur 'n afskrif van sodanige kennisgewing op 'n vorm deur die plaaslike bestuur voorsien, opvallend op die padfront van die erf waarop die aansoek betrekking het, te vertoon vir 'n tydperk van minstens 14 dae met ingang van die datum van publikasie bedoel in paragraaf (a).

(2) Enigiemand kan binne 30 dae na die publikasie bedoel in subregulasie (1)(a) teen sodanige registrasie beswaar aanteken deur skriftelik aan die plaaslike bestuur kennis te gee, met opgaaf van die redes vir die beswaar, en aan die applikant 'n afskrif van sodanige kennisgewing per geregistreerde pos of per hand te beteken: Met dien verstande dat die redes vir sodanige beswaar beperk moet word tot die waarskynlikheid dat 'n gevaar vir die gesondheid of 'n oorlas sal ontstaan uit die beoogde bedrywigheid op die betrokke perseel.

Verstekking van inligting by aansoek om registrasie

6. (1) Iemand wat 'n perseel wil laat registreer, moet voor of op die datum van publikasie in die pers van 'n kennisgewing in regulasie 5(1)(a) bedoel, by die plaaslike bestuur wesenlik in die vorm van Vorm B in Aanhangsel 2 om registrasie van sodanige perseel aansoek doen, en moet -

- (a) in die geval van
 - (i) 'n gelyste bedryf, besonderhede verstrek van -
 - (aa) die aard van die bedrywigheid wat verrig gaan word;
 - (bb) die aanleg, werke en geboue wat in verband met sodanige bedrywigheide opgerig of gebruik gaan word, met inbegrip van die aantal, inhoud en tipe ketels, verteertoestelle, droeërs of ander apparate of installasies wat gebruik sal word ten einde sodanige bedrywigheide te verrig;

- (cc) die ligging en die grootte van die perseel;
 - (dd) die aard en hoeveelheid van die prosesse en grondstowwe wat gebruik gaan word en van die produkte en neweprodukte wat geproduseer sal word by die verrigting van sodanige bedrywigheid;
 - (ee) enige toestand en ding wat waarskynlik sal lei tot die bestaan van 'n oorlas of tot 'n wesenlike risiko dat 'n oorlas kan ontstaan by die verrigting van sodanige bedrywigheid;
 - (ff) die maatreëls wat getref moet word om so 'n oorlas of risiko te voorkom;
 - (gg) die aard, hoeveelheid en/of volume van alle afvalmateriaal wat op die perseel gegenereer of gehanteer gaan word;
 - (ii) 'n begraafplaas, besonderhede verstrek van die ligging, die grondwaterstand, stormwaterdreinerings die grond en die helling van die grond; en
- (b) bewys lewer van voldoening aan regulasie 5(1).

(2) 'n Plaaslike bestuur kan 'n persoon wat inligting bedoel in subregulasie (1) verstrek het, skriftelik versoek om verdere of meer gedetailleerde inligting te verskaf in verband met enige besonderheid, en die betrokke persoon moet sodanige inligting aan die plaaslike bestuur verstrek.

Vrystellings

7. Indien, voldoening aan enige bepaling van regulasie 5 of 6 na die mening van 'n omgewingsgesondheidsbeampte in diens van 'n plaaslike bestuur of, waar daar nie so 'n omgewingsgesondheidsbeampte is nie, van die persoon in beheer van die openbare gesondheidsdiens van daardie plaaslike bestuur, ná oorleg met enige omgewingsgesondheidsbeampte in private of publieke praktyk, geen nut sal hê nie omrede die klein volume van die betrokke gelyste bedryf of die klein skaal waarop dit beoefen sal word, kan die plaaslike bestuur enigiemand skriftelik van voldoening aan so 'n bepaling vrystel.

Registrasie

8. (1) 'n Plaaslike bestuur kan ná oorweging van enige beswaar wat aangeteken is en indien hy oortuig is dat geen gevaar vir die gesondheid of geen oorlas waarskynlik veroorsaak sal word deur die verrigting van die betrokke bedrywigheid op die betrokke perseel nie, die perseel registreer behoudens die voorwaardes wat hy bepaal.

(2) 'n Plaaslike bestuur kan -

- (a) 'n aansoek om registrasie toestaan op voorwaarde dat die perseel voor dit geregistreer word, aan enige vereiste moet voldoen wat deur die plaaslike bestuur bepaal en skriftelik aan die applikant bekend gemaak word; of
- (b) die perseel registreer behoudens 'n bepaalde voorwaarde waaraan die perseel binne 'n vasgestelde tydperk moet voldoen.

(3) Sodanige registrasie kan vir 'n onbepaalde of bepaalde tydperk wees en kan in laasgenoemde geval van tyd tot tyd op aansoek hernu word.

(4) Sodra 'n plaaslike bestuur 'n aansoek om registrasie van 'n perseel toegestaan of geweier het, moet hy so gou doenlik -

- (a) die betrokke applikant wesenlik in die vorm van Vorm C in Aanhangsel 2 van 'n registrasiesertifikaat voorsien; of
- (b) die betrokke applikant skriftelik in kennis stel van -
 - (i) die redes vir sy besluit; en
 - (ii) die applikant se reg van appèl ingevolge regulasie 9.

(5) Iemand wat teen die aansoek beswaar aanteken, moet so gou doenlik skriftelik deur die plaaslike bestuur in kennis gestel word van die besluit en van sy of haar reg op appèl ingevolge regulasie 9, as daar is.

Appèl

9. Enigiemand wat hom of haar benadeel voel deur 'n besluit van 'n plaaslike bestuur ingevolge regulasie 8, kan binne een maand na ontvangs van die kennisgewing ingevolge regulasie 8(4) of 8(5) skriftelik teen die besluit appelleer na die Lid van die Uitvoerende Raad vir Gesondheid van die betrokke provinsie.

Verandering van bedrywigheid

10. Die bepalings van regulasies 4(1)(a), 5, 6, 7, 8 en 9 is *mutatis mutandis* van toe passing ten opsigte van enige -

- (a) toename in die volume van die betrokke bedrywigheid of in die skaal waarop dit verrig word;
- (b) wesenlike verandering in die metode waarvolgens die bedrywigheid verrig word;
- (c) uitbreiding van, verandering aan of toevoeging tot enige aanleg, werke of gebou wat vir die doel van die beoefening van 'n gelyste bedryf gebruik word;
- (d) wesenlike verandering van die bepaalde plekke op die perseel waar die verskillende gedeeltes van prosesse van 'n gelyste bedryf uitgevoer word.

HOOFSTUK 4

VEREISTES TEN OPSIGTE VAN AKKOMMODASIE

Strukturele vereistes vir akkommodasie

11. Niemand mag akkommodasie verhuur of die gebruik daarvan andersins toestaan aan enige ander persoon nie, tensy -

- (a) die buitemure sodanig is dat dit die deurdringing voorkom van -
 - (i) wind en reën na die binnekant van die perseel;
 - (ii) vogtigheid tot aan die binne-oppervlakte van sodanige mure;
- (b) die vloere sodanig is dat dit die deurdringing voorkom van vogtigheid na die binnekant van die perseel, met inbegrip van die binne-oppervlakte van die mure;
- (c) die dak sodanig is dat dit die deurdringing voorkom van -
 - (i) wind en reën na die binnekant van die perseel;
 - (ii) vogtigheid tot aan die binne-oppervlakte van die mure;
- (d) elke toegangsopening in die buitemure voorsien is van 'n toemaakbare deur wat, wanneer dit toe is, die deurdringing voorkom van reën na die binnekant van die perseel;

- (e) elke venster sodanig is dat wanneer die venster toe is, reën nie na die binnekant van die vertrek sal deurdring nie en dit die natuurlike verligting van die vertrek nie sal verminder nie.

Verligtings- en ventilasievereistes vir akkommodasie

12. (1) Niemand mag akkommodasie verhuur of die gebruik daarvan andersins toestaan aan enige ander persoon nie, tensy-

- (a) elke vertrek toereikend verlig is deur middel van vensters waarvan die totale oppervlakte gelyk is aan minstens 10 persent van die vloeroppervlakte van die vertrek en van daardie totale oppervlakte 'n oppervlakte gelyk aan minstens vyf persent van sodanige vloeroppervlakte oopgemaak kan word;
- (b) elke venster in 'n vertrek in verhouding tot enige ander venster of belugtingsopening in die vertrek só geplaas is dat toereikende kruisventilasie bevorder word.

(2) Die verbod in subregulasie (1) sal nie van toepassing wees nie op enige vertrek wat genoegsaam meganies geventileer is ooreenkomstig die bepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977).

Drinkwater, sanitasie en vullisverwydering

13. Die eienaar van grond of eiendom of, in die geval van grond of eiendom wat verhuur is, die huurder van die grond of eiendom waarop enige akkommodasie geleë is, moet -

- (a) die persone in die akkommodasie, binne sodanige afstand vanaf die akkommodasie as wat redelik is in die omstandighede van die wonings en okkupeerders, voorsien van -
 - (i) 'n gereelde voorraad drinkbare water wat voldoende is vir die gebruik van die persone in die akkommodasie;
 - (ii) latrines wat voldoende is ten opsigte van getal en kapasiteit vir die gebruik van die persone in die akkommodasie;
- (b) die huishoudelike vullis wat ten opsigte van die akkommodasie ontstaan, minstens een keer per week behoorlik laat verwyder en daaroor laat beskik; en

- (c) fekale stowwe wat ten opsigte van die akkommodasie ontstaan, behoorlik laat berg en, behalwe waar putlatrines of 'n metode vir die toereikende verwerking van sodanige stowwe deur middel van 'n ensimatiese of chemiese proses voorsien word, behoorlik laat verwyder en daaroor laat beskik.

Toepassing van hoofstuk

14. (1) Die bepalings van regulasies 11, 12, en 13 is van toepassing hetsy akkommodasie of die oprigting daarvan aan die vereistes of formaliteite van enige toepaslike wet voldoen al dan nie.

(2) (a) Die bepalings van regulasie 13 is in die geval van ongemagtigde plakkery nie van toepassing nie -

- (i) op 'n grond- of perseeleienaar wat geen kennis gedra het nie van die bestaan op sy of haar grond of perseel van die betrokke akkommodasie of die gebruik van sy of haar perseel vir die doel van akkommodasie, na gelang van die geval; of
- (ii) op 'n grond- of perseeleienaar wat alle redelike stappe gedoen het om sodanige akkommodasie te verwyder of om die gebruik van sy of haar grond of perseel vir die doel van akkommodasie te voorkom, na gelang van die geval.

(b) Die bewyslas dat 'n grondeienaar geen kennis gedra het nie of stappe gedoen het, soos beoog in onderskeidelik subparagrafe (i) en (ii) van paragraaf (a), rus op sodanige eienaar.

(3) Onder die omstandighede bedoel vir subregulasie (2) hierbo, sal die bepalings van regulasie 13 van toepassing wees op die betrokke bestuur in wie se regsgebied sodanige grond of perseel geleë is asof sodanige plaaslike bestuur die eienaar is van sodanige grond of perseel.

HOOFSTUK 5

BEKAMPING VAN ONGEDIERTES EN VEKTORE

Eienaar en okkupeerder moet ongedierte- en vektorbesmetting voorkom

15. Enige eienaar en persoon wat 'n perseel okkupeer, moet alle redelikerwys uitvoerbare maatreëls tref om te voorkom dat sodanige perseel met ongediertes of vektore besmet word.

Uitroeïing van ongediertes en vektore in besmette persele

16. Waar 'n perseel met ongediertes of vektore besmet is, moet die eienaar van en persoon wat sodanige perseel okkupeer alle redelikerwys uitvoerbare maatreëls tref vir die uitroeïing van sodanige ongediertes of vektore en enige herbesmetting voorkom.

HOOFSTUK 6

HANTERING VAN EN WEGDOENING VAN MEDIESE AFVAL

Toepassingsbestek

17. Voldoening aan die regulasies van hierdie hoofstuk is verpligtend vir alle genereerders van mediese afval en, waar toepaslik, alle vervoerders en sal gebiedend wees by veral -

- (1) alle gesondheidsorgfasiliteite, soos alle plekke of terreine waar professionele gesondheidsdienste aan menslike pasiënte gebied word, met inbegrip van onder andere hospitale, klinieke (mobiel sowel as stilstaande), siekeboeë (byvoorbeeld by ouetehuse), dageenhede, hospiese, rehabilitasiesentrums, dokters - (alle geneeshere en tandheelkundige praktisyns) en professionele verpleegkundige spreekkamers, fasiliteite vir die lewering van vroedvroudienste, losstaande operasieteatres, apteke en alle soortgelyke terreine;
- (2) alle patologiese en mikrobiologiese laboratoria of plekke waar biologiese navorsing gedoen word, en ook die persele van bloedoortappingsdienste;

- (3) die fasiliteite van alle vervaardigers en verspreiders van farmaseutiese produkte of vaksiene;
- (4) alle lykshuise en begrafnisondernemerspersele;
- (5) alle veeartsenykundige spreekkamers, dierehospitale of -behandelingstasies, en diereherberge;
- (6) enige private huis of huishouding of enige ander perseel waar die gesondheidsrisiko wat bestaan uit die hoeveelheid en aard van die gegenereerde mediese afval sodanig is dat dit ooreenkomstig hierdie regulasies hanteer behoort te word.

Pligte van genereerders, vervoerders en wegdoeners van mediese afval

18. (1) Elke genereerder van mediese afval, en waar toepaslik, elke vervoerder en wegdoener van mediese afval, moet, behoudens die bepalings van die Wet op Omgewingsbewaring, 1998 (Wet No. 73 van 1989), en enige ander toepaslike wetgewing, alle sodanige afval laat sorteer, verpak, behouer, hanteer, berg, vervoer en wegdoen ooreenkomstig hierdie hoofstuk.

(2) Die bedrywighede genoem in subregulasie (1) moet op sodanige wyse verrig word dat die gegenereerde mediese afval nie 'n oorlas sal veroorsaak of 'n gesondheids- of veiligheidsgevaar sal inhou vir enige hanteerder daarvan of enigiemand anders of die omgewing in die algemeen nie.

(3) 'n Plaaslike bestuur kan op skriftelike aansoek met die toestemming van die lede van die Uitvoerende Raad van die betrokke provinsie wat verantwoordelik is vir gesondheid en die omgewing, enigiemand toelaat om met mediese afval weg te doen op enige ander aanvaarbare wyse wat verseker dat sodanige mediese afval en wegdoeningswyse nie 'n oorlas sal veroorsaak of 'n gesondheids- of veiligheidsgevaar sal inhou vir enige hanteerder daarvan of enigiemand anders of die omgewing in die algemeen nie.

Aanvullende spesifikasies betreffende mediese afval

19. (1)(a) Sitotoksiese en genotoksiese farmaseutiese afval en verwante besmette materiale, byvoorbeeld spuite, buise, houers, voorbereidingsmateriale, flesse en ampules moet oor beskik word in houers wat met "sitotoksiese afval" gemerk is.

(b) Skerp voorwerpe (naalde, gebreekte glas, ens.) wat met sitoksiene besoedel is, moet geplaas word in houters wat met "sitoksiese skerpgoed" gemerk is. (Voorsiening moet in hierdie verband gemaak word vir die veilige beskikking van die langste Tocarnaalde).

(2)(a) Bederfbare mediese afval moet by 'n temperatuur van hoogstens 4° C geberg word en moet verkieslik gevries wees.

(b) Alle medieseafval- bergingsgebiede moet ongedierte-, insekte- en knaagdierdig wees, 'n maklik skoonmaakbare vloer- en muurafwerking en algemene konstruksie hê, heeltemal ingeslote wees, genoegsaam geventileer en verlig wees, en toesluitbaar wees,

(c) Alle mediese afval moet geberg word in 'n medieseafval-bergingsgebied totdat dit vir finale wegdoening opgelaaï of verwyder word.

(d) Opperseelstorting moet onmiddelik opgeruim word.

(e) Alle binnenshuise oppervlakke van sodanige bergingsgebiede moet op 'n daaglikse grondslag nougeset skoongemaak en ontsmet word.

(3) Voorsiening moet gemaak word vir die verwydering van onverkoelde afval ook oor naweke en op openbare vakansiedae.

(4) (a) Die laaïkompartemente van vervoermiddels vir mediese afval moet sluitbaar wees en moet aan die volgende vereistes voldoen:

- (i) Die kompartement moet termies geïsoleer wees en 'n verkoelingstemperatuur gedurende vervoer van hoogstens 4°C kan handhaaf;
 - (ii) Die binnepaneelkonstruksie moet so dig pas dat dit 'n redelike vog- en lugdigte seël sal verseker;
 - (iii) Die binneoppervlakke moet wit geverf wees met 'n duursame sproei- of emaljeverf of moet 'n afwerking hê wat goedgekeur is deur die plaaslike bestuur;
 - (iv) Daar moet 'n drumpel van minstens 100 mm by die deure wees wat sal voorkom dat lekkasies na buite sal uitstort;
 - (v) Die kompartement moet toegerus wees met 'n stortopruimingstoerustingspakket wat goedgekeur is deur die plaaslike bestuur en moet gereeld nagegaan en aangevul word.
- (b) Sodanige vervoermiddels moet beman word deur 'n span wat genoegsaam opgelei is in die doetreffende gebruik van die stortopruimingstoerustingspakket en in opruimingsprosedures.
- (c) Die laaikompartemente moet op 'n daaglikse grondslag nougeset skoongemaak en ontsmet word.
- (5) Die verbrandingsoond en die verbrandingsproses moet voldoen aan die voorskrifte van die betrokke plaaslike bestuur en alle tersaaklike wetgewing, soos die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965), die Wet op Gevaarhoudende Stowwe, 1973 (Wet No. 15 van 1973), en die Wet op Omgewingsbewaring, 1989 (Wet No. 73 van 1989), ten einde afval te kan hanteer wat 'n wye variasie in verbrandingseienskappe het, vanaf plastieke met 'n hoogs vlugtige en hoë kaloriewaarde tot materiaal met 'n hoë waterinhoud, soos plasentas.

HOOFSTUK 7

LATRINES BY OPENBARE BYEENKOMSTE

Voldoende latrines moet voorsien word by sekere openbare byeenkomste

20. Enigiemand wat buite 'n gebou 'n vergadering, vertoning of ander plekgebonde gebeurtenis hou, moet vir die duur van die geleentheid latrines beskikbaar stel wat na die mening van die plaaslike bestuur na getal en vermoë voldoende is vir gebruik deur die aantal persone wat die gebeurtenis bywoon.

HOOFSTUK 8

HERROEPING

Herroeping van regulasies

21. Die volgende regulasies word hierby herroep:
- (a) Die regulasies van krag dwarsdeur KwaZulu-Natal, behalwe binne stedelike grense, ten opsigte van die vestiging, dryf of uitoefening van sekere fabriek, besighede, bedrywe of werk, gepubliseer by Goewermentskennisgewing No. R. 1047 van 25 Junie 1924;
 - (b) die regulasies vir Pietermaritzburg betreffende hinderlike bedrywe gepubliseer by Goewermentskennisgewing No. R. 1391 van 30 Julie 1929;
 - (c) die regulasies vir die stad Kaapstad betreffende hinderlike bedrywe, gepubliseer by Goewermentskennisgewing No. R. 402 van 28 Februarie 1930, soos gewysig by Goewermentskennisgewings No. R. 614 van 21 April 1944; en, No. R. 477 van 5 April 1963;
 - (d) die regulasies betreffende hinderlike bedrywe van krag dwarsdeur die gebiede van alle ander stedelike en landelike plaaslike besture in die Kaapprovinsie as die munisipaliteit Kaapstad, gepubliseer by Goewermentskennisgewing No. R. 1606 van 9 November 1934, soos gewysig by Goewermentskennisgewing No. R. 35 van 14 Januarie 1944; R. 81 van 26 Januarie 1961; en, R. 478 van 5 April 1963;
 - (e) die regulasies betreffende hinderlike bedrywe vir die munisipaliteit Amanzimtoti gepubliseer by Goewermentskennisgewing No. R. 2103 van 30 Desember 1966;
 - (f) die regulasies vir die dorp Richardsbaai betreffende hinderlike bedrywe, gepubliseer by Goewermentskennisgewing No. R. 1287 van 23 Junie 1978, soos gewysig by Goewermentskennisgewing No. R. 999 van 3 April 1992.

AANHANGSEL 1
GELYSSTE BEDRYWE
[regulasie 4(1)(a)(i)]

1. Abattoirs (1)
2. Afvalverbranding, wegdoeningsterreine, vir afval (met inbegrip van mediese afval) versameling-, sorterings-, behandelings- en prosesseringsterreine vir afval (53)
3. Asbesmynbou of -verwerking (3)
4. Asfaltaanlegte (4)
5. Batteryvervaardiging, -vernuwing of -versiening (5)
6. Bemestingstofwerke (21)
7. Brouerye (7)
8. Chemikalieëvervaardiging of -verwerking (13)
9. Diereherberge en akkommodasie (30)
10. Disko's, nagklubs en soortgelyke laatnagmusiekgebaseerde en geraasgenererende veraaklikheidsplekke (18)
11. Distilleerderye (19)
12. Elektroplaterings-, emaljerings- of galvaniseringswerke (20)
13. Ertsverwerking, -hantering en -berging (34)
14. Gaswerke (25)
15. Glasvešselvervaardiging, -berging, -vorming en -afwerking (26)
16. Handel in bene, velle en huide (17)
17. Herversoling van remskoene (41)
18. Houtprodukte- of meubelvervaardiging of -vernuwing (50)
19. Houtskool- of kooksvervaardiging of -verpakking (12)
20. Huid- of velverwerking of -hantering (27)
21. Intensiewe dierevoerstelsels of varkboerderye (29)
22. Keramiek- of glaswerke (11)
23. Klipgroefwerke, klipkappery, -vergruising, -bawerking of -verwerking (47)
24. Komposwerke (15)
25. Koolswartvervaardiging, -verwerking of -hantering (9)
26. Krematoria (16)
27. Lugbespuiting van gewasse (2)
28. Meganiese-ingenieurswerke (32)
29. Paneelklopper (35)

30. Plantolie-ekstraksie of -verwerking (51)
31. Plastiekprodukwerke (36)
32. Prosesse vir die vervaardiging of lewering van neweprodunkte van organiese materiaal van dierlike, vis- of voëlorsprong (37)
33. Prosesse vir die dehidrering of lewering van organiese materiaal van plantaardige oorsprong (38)
34. Pulp-, papier- of bordvervaardiging (39)
35. Raffinaderye (40)
36. Rioolbehandeling, - vervoer of -wegdoening (44)
37. Rubbervervangingswerk of -vulkanisering en bandhersoolwerke (42)
38. Sand- of haelstraling (43)
39. Sandwinning (45)
40. Sementvervaardiging of -verwerking (10)
41. Smelterye en metaal- en glasherwinningsaanlegte (23)
42. Steenkoolwerke (14)
43. Spin-, weef-, of vlegwerke (48)
44. Spuitverfwerk, spuitverfbedekking, of -afwerking (49)
45. Steen- of teëlvervaardiging (8)
46. Suurdeegvervaardiging (56)
47. Sweiswerk (54)
48. Swamdoder, onkruidodder- of plaagdoder vervaardiging in grootmaat (24)
49. Telerye (6)
50. Verf- of deklaagvervaardiging (33)
51. Vis-, weekdier-, kreef-, perlemoen- of seewierinmaking, -insouting, -droging, -berging of -verwerking (22)
52. Vlok-, klapperhaar- of tekstielversnippering of -pluising (46)
53. Voertuig- of algemene skrootwerke (52)
54. Was of vernuwning van nywerheidshouers (28)
55. Walswerk (31)
56. Wolwasserye (55)

AANHANGSEL 2

VORMS

Vorm A

[regulasie 5 (1)]

KENNISGEWING VAN AANSOEK OM REGISTRASIE VAN PERSEEL VIR BEOEFENING VAN 'N GELYSDE BEDRYF OF BEGRAWING VAN 'N LYK

Kennis word hierby gegee dat daar ingevolge die Regulasies betreffende die Beheer oor Omgewingstoestande wat 'n Gesondheidsgevaar Inhou of 'n Oorlas Uitmaak wat kragtens die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), uitgevaardig is, aansoek gedoen sal word om registrasie van die perseel geleë te

.....(straatadres of transportaktebeskrywing van perseel)
vir die doel van.....

.....
(meld of met bedrywigheid begin word en of dit verander word, en, indien bedrywigheid verander word, presies op watter wyse; nie van toepassing nie op begraving van lyke) die bedrywigheid
van.....

(volle beskrywing van bedrywigheid) deur.....

(volle naam van applikant) van.....(adres
van applikant).

Enigiemand kan binne 30 dae na die datum van publikasie van hierdie kennisgewing skriftelik teen sodanige registrasie beswaar aanteken, met opgaaf van die redes vir sy of haar beswaar, by (plaaslike bestuur)

Enige beswaarmaker moet 'n afskrif van sodanige kennisgewing per geregistreerde pos of per hand aan die applikant beteken.

Die aansoek lê gedurende normale kantoorure ter insae by die kantore van die gesondheidsdepartement van die vermelde plaaslike bestuur.

Vorm B*[regulasie 6(1)]***AANSOEK OM REGISTRASIE VAN PERSEEL**

.....(volle naam van applikant)
 doen hierby ingevolge die Regulasie betreffende die Beheer oor Omgewingstoestande
 wat 'n Gesondheidsgevaar Inhou of 'n Oorlas Uitmaak wat kragtens die Wet op
 Gesondheid, 1977 (Wet No. 63 van 1977), uitgevaardig is, aansoek om registrasie van
 die perseel geleë te

.....
 (straatadres of transportaktebeskrywing) vir die doel van

.....
 (meld of met bedrywigheid begin word en of dit verander word, en, indien bedrywigheid verander word,
 presies op watter wyse; nie van toepassing nie op begrawing van lyke) die bedrywigheid van

.....
 (volle beskrywing van bedrywigheid).

Die aangehegte besonderhede word ten opsigte van die betrokke bedrywigheid verstrek
 (Heg volle besonderhede bedoel in regulasie 6(1)(a), of 6(1)(a), gelees saam met 10, na gelang van die
 geval hierby aan.)

Bewys van publikasie in die plaaslike pers van die applikant se kennisgewing van sy of
 haar voorneme om hierdie aansoek te doen, word aangeheg (Heg volle bladsy waarop
 kennisgewing in betrokke koerant verskyn het hierby aan.)

Datum:

Geteken:..... (vir applikant)

.....

 (adres van applikant)

Vorm C

[regulasie 8(4)(a)]

REGISTRASIESERTIFIKAAT

Ingevolge die Regulasies betreffende die Beheer oor Omgewingstoestande wat 'n
Gesondheidsgevaar Inhou of 'n Oorlas Uitmaak wat kragtens die Wet op Gesondheid, 1977
(Wet No. 63 van 1977), uitgevaardig is, word die perseel geleë te

.....(straatadres of transportakteskrywing)

hierby geregistreer vir die doel van.....

.....
(meld of met bedrywighede begin word en of dit verander word, en, indien bedrywigheid verander word, presies
op watter wyse; nie van toepassing nie op begrawing van lyke) die bedrywigheid van.....

..... (volle
beskrywing van bedrywigheid).

Die registrasie is onderworpe aan die volgende voorwaardes:

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

Datum:

.....(plaaslike bestuur)

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