

DEPARTMENT OF HEALTH

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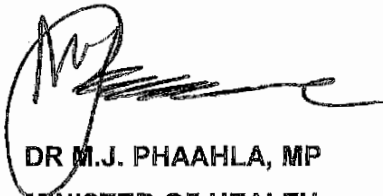
15 March 2022

**NATIONAL HEALTH ACT, 2003 (ACT NO. 61 OF 2003)**

**REGULATIONS RELATING TO ENVIRONMENTAL HEALTH**

The Minister of Health intends, in terms of section 90(1)(a), (n) and (w) of the National Health Act, 2003 (Act No. 61 of 2003), to make the regulations in the Schedule hereto.

Interested persons are invited to submit within 30 days from the date of publication of this Notice substantiated comments or representations on the proposed Regulations to the Director-General, Department of Health, Private Bag X 828, Pretoria, 0001 (for the attention of the Chief Directorate: Environmental Health & Port Health Services), by fax to: 012- 395 8802, attention: Mr Murdock Ramathuba, or by e-mail to: [murdock.ramathuba@health.gov.za](mailto:murdock.ramathuba@health.gov.za).



DR M.J. PHAAHLA, MP

MINISTER OF HEALTH

DATE: 14/03/2022

## **SCHEDULE**

### **CHAPTER 1**

1. Definitions

### **CHAPTER 2**

#### **POWERS OF ENVIRONMENTAL HEALTH PRACTITIONER**

2. Environmental Health inspections
3. Environmental health investigations
4. Abatement of a public environmental health nuisance or hazard
5. Procedure in respect of conditions requiring immediate remedying
6. Confiscation of items
7. Seizure of items
8. Inspection and Investigation report

### **CHAPTER 3**

#### **COMPLIANCE REQUIREMENTS FOR OWNERS AND OCCUPIERS**

9. Prohibition on causing public environmental health nuisance or hazard

#### **ENVIRONMENTAL POLLUTION CONTROL**

10. Dumping and littering
11. Removal of waste
12. Noise Pollution
13. Air Pollution
14. Pollution of water
15. Control of vermin and vectors

#### **PREMISES**

16. Overcrowding in Premises
17. Norms and Standards for Environmental Health
18. Permit in respect of private sewage works

#### **SANITATION**

19. Maintenance and operation of sewage works on private premises
20. Compulsory connection to municipal sewage system

- 21. Prohibition against the erection or installation of non-waterborne sanitation facilities in or under the same roof as a premises
- 22. Use of septic tanks for waste liquids in areas without sewers
- 23. Hygiene requirements and maintenance of sanitation facilities and drainage systems
- 24. Provision of Sanitation at Public Gatherings
- 25. Environmental health requirements for use of premises
- 26. Offensive Trades

#### **CHAPTER 4**

#### **ENFORCEMENT**

- 27. Defect in form of notice or order under this Regulation.
- 28. Service of documents
- 29. Exemption
- 30. Appeal
- 31. Offences and Penalties
- 32. Short title and commencement

SCHEDULE 1: LIST OF PREMISES IN RESPECT OF REGULATION 21

SCHEDULE 2: OFFENSIVE TRADES IN RESPECT OF REGULATION 29

Annexure A

Annexure B

Annexure C

Annexure D

Annexure E

## CHAPTER 1 DEFINITIONS

### Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have such meaning and, unless the context otherwise indicates—

**“compliance notice”** means a notice as set out in section 82 of the Act;

**“Environmental Health Practitioner”** means a person registered in terms of section 34 of the Health Professions Act, 1974 (Act No. 56 of 1974) who performs the functions contemplated in Annexure A to the Regulations defining the scope of the profession of environmental health practitioners (Government Notice No. R. 888 of 26 April 1991);

**“environmental health nuisance”** refers to the use of any premises or place in a manner which creates conditions that significantly increase the risk of a public health hazard occurring or which compromises any aspect of public health to an extent that is more than trivial or insignificant and includes any—

- (a) stream, pool, pond, marsh, ditch, gutter, watercourse, cistern, water closet, earth closet, urinal, cesspool, cesspit, drain, sewer, dung pit, slop tank, ash heap or dung heap that is foul and is offensive and dangerous to health;
- (b) stable, kraal, shed, run or premises used for the keeping of animals which is offensive or dangerous to health;
- (c) accumulation of refuse, offal, manure or other matter which is dangerous to health;
- (d) public building which is so unsafe that it is dangerous to health;
- (e) occupied dwelling without sufficient potable water within a reasonable distance from it;
- (f) industrial or business premises which are not kept in a clean state and free from offensive smells or are not properly ventilated and are overcrowded and dangerous to the health of the persons working on the premises;
- (g) industrial or business premises that emits offensive smells or effluvia which are dangerous to health;
- (h) other situation or state of affairs deemed to be a nuisance by the Environmental Health Practitioner; and

- (i) other situation or state of affairs which an Environmental Health Practitioner may consider as such;

**“health risk”** means that one or more exposures to a hazardous substance may damage the health of the exposed person;

**“municipality”** means a municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 2000 (Act No. 27 of 2000);

**“occupier”** in relation to premises means any person who is entitled to occupy the premises or is managing the premises on behalf of another person and includes the agent of any such person if he or she is absent from the Republic or his or her whereabouts is unknown.

**“owner”** of any premises, means—

- (a) the person in whose name the premises is registered or if he or she is deceased or incapacitated the administrator of his or her estate; or
- (b) in the case where the premises are registered under a notarial lease, the lessee; or
- (c) where the premises is registered in the name of a juristic person, the secretary or manager, or director or member, or the managing body or committee of such juristic person;

**“pollution”** means the discharge into the environment of any substance or matter, whether liquid, gas or solid, that may on contact with a human cause harm or endanger human health;

**“public health hazard”** means any actual threat to public health, and includes—

- (a) unsanitary conditions;
- (b) conditions which make it easier for a communicable disease to spread;
- (c) conditions which make food or drink, including water for domestic consumption, unhygienic or unsafe to drink or eat; and
- (d) conditions which allows pests or parasites to infest any place or body of water where they may affect public health;

**“relevant authority”** refers to the municipal or provincial department exercising powers in terms of by-law, provincial or national legislation;

**“seizure”** means removing items from the premises and taking control until all necessary procedures have been performed;

**“the Act”** means the National Health Act, 2003 (Act No. 61 of 2003); and

**“waste”** means waste as defined in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

## **CHAPTER 2**

### **POWERS OF ENVIRONMENTAL HEALTH PRACTITIONER**

#### **Environmental health inspections**

**2.** (1) An Environmental Health Practitioner must upon entering any premises for the purpose of an inspection, present his or her identification card, announce the purpose of the visit and may search the premises, unless there are reasonable grounds to believe that such announcement might defeat the purpose of the search.

(2) An Environmental Health Practitioner may—

- (a) in writing, or verbally demand that the owner or occupier of a premises, submit to him or her any book, document or object that must be kept or displayed in terms of the Act or that relates to any matter provided for by the Act that is in the custody or under control of the owner or occupier;
- (b) make extracts from or copy from any book, or document referred to in paragraph (a) in the presence of the owner or occupier;
- (c) question the person referred to in paragraph (a) with regard to any matter provided for in the Act, and obtain information regarding any activity or process or entry in a book or document referred to in paragraph (a): Provided that if the questioning takes place in the presence of a police official the Environmental Health Practitioner must advise the person of his or her rights to a legal representative;
- (d) for the purpose of combating a communicable disease, immediately demand any information from the person referred to in paragraph (a) or from any other person who has at any time been on or in such premises, in any format contemplated in paragraph (a);
- (e) in the presence of the owner or the occupier, examine any process, product, material or substance that is found or is suspected to be used, or destined or intended for use which constitutes an environmental health nuisance or is likely to cause an environmental health nuisance or is detrimental to health;

- (f) in the presence of the owner or occupier, open, test or, photograph any material, products, objects or substance which constitutes an environmental health nuisance or is likely to cause an environmental health nuisance or is detrimental to health;
  - (g) in the presence of the owner or occupier, examine any appliance, product, material, item, object, substance or related matter that is found in or on such premises, and that is used, or is suspected to be used, or intended for use for the manufacture, treatment, packing, marking, labelling, storage, conveyance of any product, object, substance or related matter or in connection with any other operation or activity and open any package or container of such appliance, product, material, item, object or substance; and
  - (h) in the presence of the owner or occupier, take samples of such appliance, product, material, item, object, substance or related matter or any substance that is relevant to the inspection, for the purpose of testing or analysing it if he or she has reason to suspect that such object or product is unsound or unfit for human use.
- (3)
- (a) If the owner or occupier is not present on the premises, a sample contemplated in subregulation (2)(h) must be taken in the presence of any other adult person as a witness.
  - (b) If an owner or occupier is present at the taking of the sample, the Environmental Health Practitioner must ascertain from him or her whether he or she requires a part of such sample for examination or analysis.
  - (c) An Environmental Health Practitioner must, if an owner or occupier requires a part of such sample as contemplated in paragraph (b), without delay, divide the sample in such a manner as its nature permits in the presence of the owner or occupier into two separate parts (as near as identical as possible) and where division of the product is not possible, three products from the same batch may be taken for sampling.
  - (d) A sample must be packed and sealed by the Environmental Health Practitioner in the presence of such owner or occupier be, and marked with—
    - (i) an identification number allocated by the Environmental Health Practitioner;

- (ii) concise details regarding the contents and the nature of the examination or analysis required;
  - (iii) the date on which the sample was taken; and
  - (iv) the name and work address of the Environmental Health Practitioner.
  - (e) An Environmental Health Practitioner must issue a receipt for any item taken from the premises.
  - (f) The results of the analysis of the samples taken may be provided to the owner or occupier of the premises.
- (4) An Environmental Health Practitioner may be accompanied by any person reasonably required to assist him or her in conducting the investigation and inspection.
- (5) An Environmental Health Practitioner must discuss any deficiencies found during conducting the inspection with the owner or occupier and may issue a compliance notice to the owner or occupier to take the necessary remedial action to minimize, remove, or rectify the deficiencies.

### **Environmental health investigations**

3. (1) An Environmental Health Practitioner may—
- (a) inspect any premises, document, book or record or any written or electronic information, specimen, article or substance—
    - (i) which may be relevant; or
    - (ii) to which the Act relates,
 and question the owner or occupier with regard to these matters;
  - (b) copy or make extracts from, any document, book or record or any written or electronic information referred to in paragraph (a) or remove such document, book, record or written or electronic information in order to make copies or extracts thereof;
  - (c) order the owner or occupier to produce or deliver to a place specified by the Environmental Health Practitioner, any document, book or record or any written or electronic information, specimen, article or substance referred to in paragraph (a) for inspection;



- (d) question the owner or occupier about any specimen, article, substance or other item which, on reasonable suspicion, may have been used in—
    - (i) the commission of an offence in terms of the Act or these Regulations;
    - (ii) breaching the Act;
    - (iii) breaching a term or condition, restriction of a license or other document required by the Act or Regulations to operate or practice a specific activity regulated by the Act or regulations,and if necessary remove such specimen, article, substance or other item;
  - (e) take photographs or make audio-visual recordings of anything or any person that is relevant for the purpose of an investigation;
  - (f) take samples;
  - (g) remove any waste or other matter deposited or discharged in contravention of the Act or term or condition, restriction of a license or other document required by the Act or Regulations to operate or practice a specific activity regulated by the Act or Regulations;
  - (h) for the purpose of combating a communicable disease, demand information relating to the potential disease from the owner or occupier, or any employee on the premises or the person responsible for such condition;
  - (i) examine any process, product, material or substance that is found or is suspected to be used or intended for use which constitutes an environmental health nuisance or is likely to cause an environmental health nuisance or is detrimental to health;
  - (j) open, test, photograph any material, products objects or substance which constitutes an environmental health nuisance or is likely to cause an environmental health nuisance or is detrimental to health; and
  - (k) dig or bore into soil.
- (2) An Environmental Health Practitioner must—
- (a) provide a written receipt for any item removed from the premises in terms of subregulation (1)(c); and
  - (b) return any item removed from the premises in terms of subregulation (1)(c) within a reasonable time or at the conclusion of any relevant environmental investigation.

### **Abatement of a public health hazard or environmental health nuisance**

4. (1) If an Environmental Health Practitioner is of the opinion that any activity being conducted on any premises—
- (a) poses or is likely to pose a danger to human health; or
  - (b) that such activity causes or is likely to cause an environmental health nuisance; or
  - (c) is hazardous, he or she may issue a written compliance notice on Form EHR3 in Annexure C to the owner or occupier of such premises to eliminate or abate such danger, health hazard or environmental health nuisance on the premises within the period specified in the compliance notice.
- (2) A compliance notice shall be served on the owner or occupier of the premises concerned by hand or by registered mail or left on a conspicuous place at the premises.
- (3) If the owner or occupier contemplated in subregulation (1) fails to comply with the notice within the specified period, the Environmental Health Practitioner may, at the cost of the said owner or occupier take all reasonable and necessary measures to remove, eliminate or reduce such danger, environmental health nuisance or hazard.
- (4) If an Environmental Health Practitioner is of the opinion that the owner or occupier of the premises concerned has complied with the compliance notice he or she may issue a compliance certificate on Form EHR4 in Annexure D.

### **Procedure in respect of conditions requiring immediate remedy**

5. (1) Where a compliance notice in terms of regulation 4(1) was issued and if an Environmental Health Practitioner is of the opinion that conditions exist which are —
- (a) dangerous or harmful or likely to be dangerous or harmful to health; or
  - (b) likely to favour the spread or impede the eradication of a communicable disease; and

- (c) requires an immediate remedy,  
he or she must order the owner or occupier to remedy the condition within a specified period.
- (2) An Environmental Health Practitioner must notify the relevant authority if an owner or occupier fails to comply with an order issued under subregulation (1).
- (3) The relevant authority must hire a service provider to undertake the necessary remedial actions and may recover the costs incurred from the owner or occupier of the premises.
- (4) If an owner or occupier fails to comply with an order issued under subregulation (1) an Environmental Health Practitioner must issue an instruction to him or her to cease operations until the situation has been remedied.

### **Confiscation of items**

- 6. (1) An Environmental Health Practitioner may, pending the examination or analysis of a sample, on Form EHR1 in Annexure A indicate the items on the premises that are an environmental health nuisance or may cause an environmental health nuisance or maybe hazardous to health and the environment and may confiscate the items on the premises or any other premises for a period not exceeding 60 days.
- (2) The Form referred to in subregulation (1) must be handed to the owner or occupier of the premises.
- (3) The Environmental Health Practitioner who confiscated the items or any other Environmental Health Practitioner working for the same authority may release the items before expiry of the specified period or may extend the period for which the items must remain in his or her possession.
- (4) No person may, without the written permission of an Environmental Health Practitioner referred to in sub regulation (3) remove any items confiscated in terms of this regulation from the place where it is stored.

### **Seizure of items**

7. (1) An Environmental Health Practitioner may by written order on Form EHR2 in Annexure B seize the items listed in that Form if after the—
  - (a) examination of the items he or she is satisfied that it constitutes an environmental health nuisance or may cause an environmental health nuisance or that it is or maybe detrimental to health and environment; or
  - (b) examination or analysis of a sample obtained in terms of regulation (2(2)(h) or 3(1)(f) it appears that the item concerned constitutes an environmental health nuisance or may cause an environmental health nuisance or that it is or maybe detrimental to health and environment.
- (2) An Environmental Health Practitioner must dispose of all seized items in accordance with section 87 of the Act.

### **Inspection and investigation report**

8. An Environmental Health Practitioner may, after conducting an inspection or an investigation referred to in regulations 2 and 3, within seven days after the date of the inspection or the conclusion of the investigation compile an inspection report on Form EHR5 in Annexure E and deliver it to the owner or occupier of the premises concerned.

## **CHAPTER 3**

### **COMPLIANCE REQUIREMENTS FOR OWNERS AND OCCUPIERS**

#### **Prohibition on causing public health hazard or environmental health nuisance**

9. (1) No person may cause or allow on any premises, any public health hazard or environmental health nuisance, or cause or allow any condition that constitutes a public health hazard or environmental health nuisance or endangers human health.

- (2) Every owner or occupier of any premises shall take all reasonable measures to prevent that any condition that constitute a public health hazard or environmental health nuisance arise on his or her premises and shall take reasonable measures to reduce or eliminate such nuisance or danger.

## **ENVIRONMENTAL POLLUTION CONTROL**

### **Dumping and littering**

10. (1) No person may dispose of any waste in or on or near any premises, or any street, public thoroughfare, public road, or public place, that will create an environmental health nuisance or a public health hazard.
- (2) No person may dispose of any waste, including hazardous waste whether in liquid or solid form or any matter that may be deemed to be hazardous, offensive or dangerous to health on any premises or in any watercourse except in—
- (a) an area designated, approved or permitted for that purpose; or,
- (b) an approved waste container.
- (3) Waste disposed of in a designated area or approved waste container may not cause a public health hazard or environmental health nuisance.
- (4) No person may use any waste, including building rubble, for the purposes of backfilling and land reclamation except with the written permission from a municipality.

### **Removal of waste**

11. (1) Removal of waste from any premises shall be done in a manner that will not cause any public health hazard or environmental health nuisance that may endanger human health.

- (2) Any person who is in breach of subregulation (1), must, to the satisfaction of an Environmental Health Practitioner, remedy any public health hazard or environmental health nuisance that may endanger human health, or any damage caused to the environment or a water course as a result of such breach.
- (3) A vehicle used for the removal of waste must be designed and constructed in a manner that prevents spillage of waste whilst in transit.
- (4) No person may dispose of any hazardous waste in a manner that creates a danger or poses a health risk or hazard.
- (5) No person may dispose of mining waste in a manner that may lead to the destruction of ecosystems which may impact negatively on human health.

### **Noise Pollution**

- 12. (1) No person may on any premises make noise at a level that causes a disturbance and causes a noise nuisance which may be harmful to human health.
- (2) Noise levels on any premises must comply with the Noise Control Regulations made in terms of the Environmental Conservation Act, 1989 (Act No.73 of 1989).

### **Air Pollution**

- 13. (1) No person may on any premises burn any waste or any other matter except—
  - (a) on premises designated for the purpose of burning waste; or;
  - (b) in a waste container designated for such burning of waste provided that the emission or discharge of any ash, grit, soot or smoke from any chimney or

- appliance or from any other means, in a manner or in quantity that may not pose a danger or be injurious to health; or
- (c) where authorised by designated official and in compliance with applicable waste management legislation.
- (2) No person may on any premises discharge dust into the atmosphere in a manner or in quantities that may endanger human health.
- (3) For the purpose of this regulation, **designated official** means waste management officers as designated in section 10 of National Environmental Management Act: Waste Act, 2008 (Act No. 59 of 2008).

#### **Pollution of water**

14. (1) Subject to subregulation (2), no person may discharge into any water supply system or watercourse any chemical, pesticide, sewage, acid mine drainage or any other matter which may endanger human life.
- (2) In order to combat snails, insects, pathogenic organisms in any water supply system or water course and to prevent the spread of waterborne diseases a relevant authority may be authorised to take the necessary preventative measures.

#### **PREMISES**

##### **Control of vermin and vectors**

15. (1) No owner or occupier of any premises may allow the breeding or infestation of vectors or other vermin on the premises.
- (2) Where a premises have been infested with vectors or other vermin the owner or occupier of the premises must take all reasonable measures to—
- (a) exterminate the vectors or vermin to prevent the creation of a public health hazard or environmental health nuisance; and
- (b) prevent the re-occurrence of such infestation.

- (3) Extermination conducted in terms of subregulation (2) must be undertaken in compliance with the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).

### **Overcrowding in Premises**

- 16. No person may allow overcrowding on any premises that creates conditions which may cause an environmental health nuisance or endanger human health.

### **Norms and Standards for Environmental Health**

- 17. (1) No one may operate any premises listed in Schedule 1 without a Health certificate issued by the Municipality.
- (2) The health certificate referred to in subregulation (1) must be issued in compliance with environmental health requirements, as set out in the norms and standards for environmental health annexed to these regulations as schedule 1.
- (3) An owner or occupier of any premises listed in Schedule 1 must ensure that the premises complies with the requirements of the Norms and Standards for Environmental Health.
- (4) The owner or occupier of a premises referred to in subregulation (1) must ensure that any activity on the premises does not cause a public health hazard or environmental health nuisance or endanger human health.
- (5) The owner or occupier of a premises referred to in subregulation (1) must ensure that the premises is used in accordance with the health certificate issued.



### **Permit in respect of private sewage works**

18. (1) No person may provide any service for the removal or disposal of sewage on any private premises except where a permit has been issued by the relevant municipality.
- (2) No person may, on any private premises, install, alter, re-site, operate or maintain any septic tank, filter installation or other works for the disposal of sewage in or on such premises except where a permit has been issued by the relevant municipality.

## **SANITATION**

### **Maintenance and operation of sewage works on private premises**

19. (1) Any person operating a private sewage works on any premises must ensure that the private sewage works is maintained in a manner that do not constitute a public health hazard, environmental health nuisance, or endangers human health.
- (2) The disposal of any sewage or wastewater from private sewage works must be done in a manner that does not cause a public health hazard, environmental health nuisance, or endangers human health.

### **Compulsory connection to municipal sewage system**

20. (1) Every owner or occupier of any premises to which a municipal sewage service is available, must ensure that all wastewater drainage pipes from any bath, wash basin, toilet, shower, washing machine or kitchen sink is connected to the municipal sewer in an approved manner.
- (2) Grey water should be stored and used in a manner that does not constitute an environmental health nuisance and may not be used for human consumption unless treated.

- (3) Harvested rainwater must be stored and used in a manner that does not cause an environmental health nuisance.

**Prohibition against the erection or installation of non-waterborne sanitation facilities**

- 21. (1) Non waterborne sanitation facilities, approved by relevant authority must be installed so as not to cause pollution of any water sources or the environment or to cause any public health hazard, environmental health nuisance, or endanger human health.
- (2) Sewage must be removed from non-waterborne sanitation facilities with as little as possible human contact and in a manner that does not cause a public health hazard, environmental health nuisance, or endangers human health or the environment.
- (3) The sewage removed from non-waterborne sanitation facilities must be disposed of in a manner that does not cause a public health hazard, environmental health nuisance or endangers human health or pollutes the environment.

**Use of septic tanks for liquid waste in areas without sewers**

- 22. (1) The owner or occupier of any premises on which a septic tank is used to collect and dispose of liquid waste must ensure that the tank is of adequate size as to contain the liquid waste produced on the premises.
- (2) Except if liquid waste can be disposed of without causing contamination of water sources or creating an environmental health nuisance, premises referred to in subregulation (1) must be equipped with—
  - (a) an overhead tank placed in a manner that ensure that its contents is gravity fed into any municipal waste removal vehicles; or (b) an adequate filter, pump and indicator, with outlet pipes constructed and placed in a manner that allows the tank to be easily emptied.

- (3) No person may discharge any urine or human excrement into any tank used for the disposal of liquid waste on any premises.

### **Hygiene requirements and maintenance of sanitation facilities and drainage systems**

- 23.** Every owner or occupier of any premises must ensure that every toilet facility or drainage system on the premises is kept clean and in a sanitary condition at all times and free from any obstruction and must ensure that the toilet facility or drainage system is maintained in a good state of repair, and does not constitute a public health hazard, environmental health nuisance or endangers human health.

### **Provision of sanitation at public gatherings**

- 24.** (1) Any person who holds any meeting, performance or any other event must, in accordance with the National Environmental Health Norms and Standards, for the duration of the event, make available a sufficient number of toilets and hand wash basins to accommodate the persons attending the event.
- (2) The person holding a meeting, performance or any other event must ensure that the toilets contemplated in subregulation (1) are kept free from any obstruction and are in a condition that does not constitute a public health hazard or environmental health nuisance.

### **Environmental health requirements for use of premises**

- 25.** The use of a premises must be in line with the requirements as set out in Norms and Standards Schedule 1 and other applicable legislation, for prevention of a public health hazard or environmental health nuisance.

### **Offensive trades**

- 26.** (1) No person may conduct any activity listed in Schedule 2 on any premises, except where a permit authorising such activity has been issued by the relevant municipality.
- (2) Every owner or occupier of a premises referred to in subregulation (1) must ensure—
- (a) that the listed activity is conducted in a manner that does not cause a public health hazard, environmental health nuisance or endangers human health;
  - (b) that the premises are maintained in a clean, hygienic and good condition at all times; and
  - (c) that the listed activity does not generate dangerous or offensive gases, fumes, vapours or dust that cause a public health hazard, environmental health nuisance or endangers human health.

## **CHAPTER 4**

### **ENFORCEMENT (GENERAL PROVISIONS)**

#### **Defect in form of notice or order under these Regulations**

- 27.** No defect in the form of any notice or order issued under the Act or these Regulations invalidates any action taken in terms of such notice or order or creates grounds for an exception in any legal proceedings arising from the notice or order: Provided that the defective notice or order contains all the particulars necessary to enable compliance with the notice or order.

#### **Service of documents**

- 28.** Any notice, order or other document issued under this Act is deemed to be duly served if—
- (a) delivered by registered post at the last-known postal address of the person concerned;
  - (b) delivered by hand to the person concerned; and

- (c) Sent electronically to the last known e-mail address.

### **Exemption**

- 29. (1) A municipality may in writing exempt any person from complying with all or with part of the provisions of these Regulations, if in the opinion of the municipality the exemption shall not cause a public health hazard, environmental health nuisance or endanger human health.
- (2) An exemption contemplated in subregulation (1) may be granted subject to the conditions determined by the municipality and shall be valid for the period stated therein.

### **Appeal**

- 30. Any person who feels aggrieved by a decision of a relevant authority made in terms of these regulations may appeal to the relevant executing authority.

### **Offences and Penalties**

- 31. (1) Any person who—
  - (a) fails to comply with a provision of these Regulations; or
  - (b) submits inaccurate, false or misleading information in connection with any matter required to be submitted in terms of these Regulations,is guilty of an offence.
- (2) Anyone convicted of an offence in terms of sub-regulation (1) is liable to a fine or to a term of imprisonment not exceeding two years or to both such fine and such imprisonment.

### **Short title**

- 32. These Regulations are called the Regulations Relating to Environmental Health, 2022.

**SCHEDULE 1:**

**LIST OF PREMISES REFERRED TO IN REGULATION 17**

1. Child care centres
2. Nursing homes
3. Maternity homes
4. Homes for the aged
5. Initiation schools
6. Accommodation establishments
7. Beauty salons
8. Swimming pools and spa baths
9. Dry cleaning and laundry establishments
10. Funeral undertakers premises
11. Mortuaries
12. Crematoriums
13. Food premises
14. Premises used for keeping of animals and poultry

## **SCHEDULE 2:**

### **OFFENSIVE TRADES REFERRED TO IN REGULATION 26**

1. Panel beating or spray painting;
2. Operating a waste recycling plant including oil and petroleum product recycling;
3. Scrap yard or scrap metal dealing;
4. Parchment making;
5. Sintering of sulphurous materials;
6. Viscose works;
7. Ore or mineral smelting, calcining, puddling or rolling of iron or other metal, conversion of pig iron into cast iron, reheating, tempering, hardening, forging, conversion or compounding of carbon with iron or other metals;
8. Works for the production of carbon disulphide, cellulose lacquer, cyan or its compounds, hot pitch or bitumen, pulverized fuel, peridine, liquid or gaseous sulphur dioxide or sulphur chlorides;
9. Works for the production of amyl acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, lampblack, B-naphthol, resin products, salicylic acid, sulphated organic compounds, sulphurous paints, ultramarine, zinc chloride or zinc oxide;
10. Bacon factories and meat-processing factories;
11. Food-processing factories;
12. Chemical works;
13. Dye works;
14. Breweries and distilleries;
15. Malt and yeast manufacturing works;
16. Sugar mills and sugar refineries;
17. Works or premises used for the storing or mixing of manure, super phosphate or fertilizers;
18. Fat-melting or tallow-melting works and any similar works or establishments for dealing with meat, bones, blood or offal, or with other organic matter derived from animals or poultry;
19. Works or premises used for the manufacture, storage or mixing of meal derived from fish, crustacean, poultry, meat offal from animals or poultry, or other organic matter derived from animals or poultry;

20. Works or premises used for storing, drying, preserving, or otherwise processing bones, horns, hoofs or other waste matter or excretions from animals or poultry;
21. Premises used for storing, sorting or dealing with hides and skins, or for fellmongery;
22. Tanning and leather-dressing works;
23. Slaughter houses or abattoirs and knackers' yards;
24. Glue or size factories;
25. Gut-scraping works;
26. Tripe-cleaning or tripe-boiling works;
27. Soap or candle works;
28. Wool-scouring or wool-washing works;
29. Processing of fish products;
30. Whaling stations, and premises or works used for storing or processing material derived from whales;
31. Paper mills or paper works;
32. Sawmills, wood bark grinding, chipping or extracting work, and destructors;
33. Landfill sites, sewage treatment and water purification plants and activities;
34. Crematoria;
35. Lead-smelting works;
36. Oil refineries and works concerned with the processing of products of petroleum refining;
37. Paint and varnish works;
38. Rubber works, including rethreading or motor vehicle tyres;
39. Brick-burning and lime-burning works;
40. Stone-crushing and stone-dressing works;
41. Asbestos works – any processes where asbestos is used, milled or handled;
42. Cement works;
43. Metallurgical works;
44. Reduction works and ore-dressing works;
45. Charcoal burning and brick burning;
46. Works or premises where sand or shot blasting or similar dust or grit producing processes is applied;
47. Dry cleaning establishments; and



48. The handling or storage of any substance or material which can lead to a public health hazard

**Annexure A****EHR1****NATIONAL HEALTH ACT 61 OF 2003****REGULATIONS RELATING TO ENVIRONMENTAL HEALTH****ORDER FOR THE CONFISCATION OF ITEMS IN TERMS OF REGULATION 6(1)**

An inspection/ examination carried out on (date).....by an Environmental Health Practitioner at the following premises

.....

revealed products that

may constitute an environmental health nuisance or may cause a public health hazard or environmental health nuisance or may be detrimental to health or the environment.

In terms of these regulations the following items, material, substances, objects or products are hereby detained.

Item description	Quantity	Reason for detention	Remarks

Attach additional page for more items

**Name of Environmental Health Practitioner:** .....

**HI No:** .....

**Signature:** .....

**Date:** .....

**Name of owner/ occupier/person in charge:** .....

**Signature :** .....

**Date:** .....

**Place :** .....

**Annexure B****EHR2**

(Health authority's letterhead and contact details)

**NATIONAL HEALTH ACT 61 OF 2003**  
**REGULATIONS RELATING TO ENVIRONMENTAL HEALTH**  
**ORDER FOR THE SEIZURE OF ITEMS IN TERMS OF REGULATION 7(1)**

An inspection or examination or analysis carried out on (date).....by an Environmental Health Practitioner at the following premises

..... revealed conditions which may constitute an environmental health nuisance or may cause a public health hazard or environmental health nuisance and may be detrimental to health or the environment.

In terms of these regulations the following items, material, substances, objects or products are hereby seized.

Item description	Quantity	Reason for seizure	Remarks

Attach additional page for more items

**Name of Environmental Health Practitioner:** .....

**HI No:** .....

**Signature :** ..... **Date:**.....

**Name of owner/ occupier/ person in charge:** .....

**Signature :** .....

**Date:** .....

**Annexure C**

**EHR3**

(Health authority's letterhead and contact details)

**NATIONAL HEALTH ACT 61 OF 2003  
REGULATIONS RELATING TO ENVIRONMENTAL HEALTH  
COMPLIANCE NOTICE ISSUED IN TERMS OF REGULATION 4(1)**

Physical Address of Premises:

.....  
.....

Person In Charge:

.....  
.....

Person Responsible:

.....  
.....

Postal Address:

.....  
.....

An inspection or examination or analysis carried out on (date).....by an  
Environmental Health Practitioner at the following premises

..... revealed conditions which may  
constitute an environmental health nuisance or may cause a public health hazard or  
environmental health nuisance and may be detrimental to health or the environment.

Below are the conditions observed during the inspection/ investigation:

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**Actions/ Instruction to be taken:**

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The above-mentioned actions/ Instructions must be complied with on/before (insert time frame / period:

.....

Failure to comply may lead to legal actions taken against you and you may be liable to a fine or imprisonment or both.

You have a right to appeal to this notice with the relevant Authority within 14 days from the date of delivery of this notice except in such conditions that require immediate remedying.

**Environmental Health Practitioner: Signature**  
**HI No:** .....  
**Place:**  
**Date Stamp**

**Annexure D**

**EHR4**

(Health authority's letterhead and contact details)

**NATIONAL HEALTH ACT 61 OF 2003  
REGULATIONS RELATING TO ENVIRONMENTAL HEALTH  
COMPLIANCE CERTIFICATE ISSUED IN TERMS OF REGULATION 4(4)**

Physical Address of Premises:

.....  
.....

Person In Charge:

.....  
..

Person Responsible:

.....

Postal Address:

.....

Name of Environmental Health Practitioner:

.....

Date of Inspection:

.....

It is hereby confirmed that the above-named premises was found to be compliant with the compliance order/ instruction of the compliance notice (date and reference no) the notice is hereby revoked.....

**Environmental Health Practitioner: Signature**

**HI No:** .....

**Place:**

**Date Stamp:**

**Annexure E**

**EHR5**

(Health authority's letterhead and contact details)

**NATIONAL HEALTH ACT 61 OF 2003  
REGULATIONS RELATING TO ENVIRONMENTAL HEALTH  
INSPECTION REPORT REFERRED TO IN REGULATION 8**

Physical Address of Premises:

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.....

Person In Charge:

.....  
.....

Person Responsible:

.....  
.....

Postal Address:

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.....

Name of Environmental Health Practitioner:

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Date of Inspection:

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**Inspection report:**

**Findings:**

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**Contravention:**

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**Actions to be taken**

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Failure to comply may lead to legal actions taken against you and you may be liable to a fine or imprisonment or both.

You have a right to appeal to this notice with the relevant Authority within 14 days from the date of delivery of this report except in such conditions that require immediate remedying.

**Environmental Health Practitioner: Signature**

**HI No:** .....

**Place:**

**Date Stamp**