

Health Services

Cap. 44.

**HEALTH SERVICES (COLLECTION AND
DISPOSAL OF REFUSE) REGULATIONS, 1975**

S.I. 1975/51.

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

1. These Regulations may be cited as the Health Services (Collection and Disposal of Refuse) Regulations, 1975.

2. For the purposes of these regulations—

“ Authority ” means the Sanitation Service Authority established by the Sanitation Service Authority Act; Cap. 382.

“ dwelling house ” means any place of habitation, including a chattel house;

“ garbage ” includes animal or vegetable waste or other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, bird, fruit or vegetable, including cans, containers or wrappers wasted along with such material;

“ disused vehicle ” or “ disused homestead appliance ” means a vehicle or appliance or part thereof, as the case may be, that, by reason of its condition, appears to the Minister to have been abandoned; S.I. 1978/110.

“ litter ” means refuse that is not deposited in accordance with these regulations, and includes dust, dirt, oddments, leavings, bottles and ends of cigarettes; S.I. 1978/110.

“ other building ” means any room or building in or at which people work, congregate, attend or are housed or accommodated, and includes, but is not limited to, barracks, common lodging houses, factories, hospitals, hotels, places of worship, schools, stores, shops, and supermarkets;

“ premises ” means land, and includes water courses and drains; S.I. 1978/110.

THE LAWS OF BARBADOS

“ refuse ” includes all solid waste derived from garbage, rubbish, swill, trade refuse and other waste matter;

“ rubbish ” includes house sweepings, wood, leaves, trimmings from shrubs, sawdust, paper, cardboard, grass, rags, old shoes, tyres and all other combustible material;

“ swill ” includes that particular garbage which is wholly, or nearly so, edible as a food having food value for animals, or foul accumulation from animal, vegetable or other matter wasted, from clubs, hospitals, hotels, restaurants and public eating places;

S.I. 1969/158. “ trade refuse ” means the waste product of any trade or manufacture not specified as an offensive trade in the Health Services (Offensive Trades) Regulations, 1969;

“ waste matter ” includes material composed of soil, earth, stones, wasted concrete blocks, glassware, ashes, metals and other non-combustible material which is, has been or is to be, discarded.

3. (1) The sanitation service shall as far as practicable be made available to every dwelling house and other building.

(2) Where a sanitation service is provided, such service shall, if practicable, be operated daily, and in any case not less frequently than once in every 7 days.

(3) The Minister shall by notice published in the *Official Gazette* make known the areas and districts for which a sanitation service is provided, and such notice shall in respect of each area or district state the days and the hours during which refuse collection will be carried out, and any alteration in any such service shall be notified in like manner.

(4) The Minister shall cause to be provided sites convenient for the placing of communal bins for the deposit of refuse, and may require owners or occupiers of dwelling houses or other buildings to cause the same to be deposited daily, or at such times as the Minister may require, in such bins provided for the purpose.

(5) The Minister may cause to be provided a special sanitation service for the collection and disposal of certain types of refuse, and shall, by notice published in the *Official Gazette*

designate the type of refuse for the collection and disposal of which the service is available, the times at which the service may be utilised, and the conditions attaching thereto.

(6) If an owner or occupier of a dwelling house or other building refuses or fails to deposit refuse in the bins provided for the purpose under paragraph (4) the Minister shall cause such refuse to be removed from the premises of the owner or occupier, and any expense incurred therein may be recovered from the owner or occupier as a civil debt before a magistrate for District "A".

(7) The Minister shall prescribe suitable sites for the proper disposal of refuse.

(8) The Minister shall cause to be disposed, all refuse collected by the sanitation vehicles in such manner as to prevent the breeding of flies, rodents or other vermin and as to prevent the creation of a nuisance or of any situation likely to be injurious to the public health.

4. The owner or occupier of every dwelling house and the owner or person in charge of every other building shall—

- (a) in respect of each such house or building provide for the storage of refuse one or more receptacles suitably covered, of reasonable weight, of a capacity—
 - (i) in the case of a dwelling house, not exceeding 4 cubic feet, and
 - (ii) in the case of every other building, not exceeding 54 cubic feet,
 and of a type approved by the Minister;
- (b) at all times keep his premises in every respect clean and free from offensive matter or refuse, and shall collect or cause to be collected all refuse and place it in the receptacle provided for the purpose;
- (c) in areas or districts where a sanitation service is available, place for removal of its contents any receptacle provided under paragraph (a) as near the adjoining road as possible (but not so as to impede or obstruct vehicular traffic) on such days and between such hours as the

THE LAWS OF BARBADOS

Minister may specify; where a refuse bin has been provided by the Minister the contents of any such receptacle may be deposited in the bin.

5. Notwithstanding paragraph (c) of regulation 4, the owner or occupier of any dwelling house or the owner or person in charge of any other building may make his own arrangements for disposal of refuse from his premises provided that the method of disposal is approved by the Minister.

6. The Minister may, on an application made to him for the purpose, allow the installation and operation of incinerators of a type and size approved by him and he shall specify the conditions under which such incinerators may be operated.

7. The owner or occupier of every dwelling house and the owner or person in charge of every building situated in any area or district for which no sanitation service is provided shall at least once in every 7 days dispose of all refuse from his premises in a manner approved by the Minister.

8. No person shall place, deposit, or cause or permit to be placed or deposited any refuse on any pavement, street, road, lane, path, beach or other public place or on or about the premises of another person, except on such sites and in such manner and during such hours as the Minister may approve for the purpose.

9. (1) No person shall, except with the authority of the Minister, disturb, remove or carry away any refuse placed in any receptacle or bin for removal by the sanitation service.

(2) No person shall remove any refuse from a disposal site.

10. No person in charge of a sanitation vehicle shall sell or give away any refuse without the permission of the Minister or deposit it in any place other than at a disposal site approved for the purpose by the Minister.

11. No person shall take or receive any refuse from a sanitation vehicle or induce by any means whatsoever an employee

of the Authority to deal with any refuse otherwise than as prescribed by these regulations.

12. No person shall—

- (a) drop, pass or place, or cause to be dropped, passed or placed, into any drain, any stone, earth, ashes or substance or matter which might obstruct the drain; or
- (b) without the approval of the Minister, discharge or cause to be discharged from any factory, bakery, distillery, workshop or workplace or from any building or place in which steam, water or mechanical power is employed, into any drain, any hot water, steam or fumes or any liquid which would prejudicially affect the workings of the drain or the disposal of the sewage conveyed along the drain or which would from its temperature or otherwise be likely to create a nuisance.

13. No person shall, except with the approval of the Minister—

- (a) place or cause to be placed in any street or on any land any disused vehicle or part thereof or any disused household appliance or part thereof;
- (b) place or cause to be placed into any drain, gully or ravine any disused vehicle or part thereof or any disused household appliance or part thereof.

14. The Minister or person authorised by him for the purpose may hold, impound or dispose of any animal which interferes in any way with refuse deposited in a manner and at a site approved by the Minister for subsequent disposal.

15. No owner or occupier of premises shall permit to remain on such premises any disused vehicle or part thereof or any disused household appliance or part thereof.

16. (1) Without prejudice to any proceedings under these regulations or any other enactment, where any person deposits or causes to be deposited any litter, disused vehicle or disused

THE LAWS OF BARBADOS

household appliance on any premises or other place, the Minister may serve or cause to be served on that person or on the owner of the premises or other place a notice requiring him, within the time specified in the notice, to remove and dispose of the litter or disused vehicle or appliance in such manner as the Minister approves.

(2) Where a person on whom a notice under paragraph (1) is served fails to comply with the notice, the Minister may—

- (a) authorise any other person in writing to enter the premises or other place and remove the litter, disused vehicle or appliance; and
- (b) as a civil debt before a Magistrate for District “ A ”, recover, from the person on whom the notice is served, any expenses reasonably incurred.

(3) Where the person on whom a notice under paragraph (1) would have been served is unknown or cannot be found, the Minister may, without serving the notice, cause the litter or disused vehicle or appliance to be removed in accordance with paragraph (2).

(4) Subject to paragraph (5), a disused vehicle or household appliance removed under paragraph (2) or (3) may be disposed of in a manner approved by the Minister.

(5) Where an article removed in accordance with paragraph (2) or (3) is claimed by a person in writing in a manner approved by the Minister, before it is disposed of, the Minister may, upon payment of the expenses incurred in respect of its removal or storage and subject to such conditions as may be imposed, permit the person to remove the article.

(6) Where the Minister disposes of an article removed under paragraph (2) or (3) by way of sale, the proceeds of that sale shall be used in defraying the costs of the removal, storage or sale, and where the proceeds exceed such costs, the excess thereof shall be paid to the owner of the article if, within 3 months after the date of the sale, he submits an application to the Minister in such form as the Minister approves.

(7) Where several persons submit applications under paragraph (6) in respect of the same article, the Minister may cause the excess to be paid to such one or more of them as the

Minister thinks fit, or make such other order as appears to the Minister to be reasonable.

17. A person who contravenes these regulations is guilty of an offence and liable on summary conviction to a fine not exceeding \$5000 or imprisonment for a term not exceeding 12 months, or both, and, in the case of a continuing offence, to a further fine not exceeding \$200 for each day or part thereof during which the offence continues after a conviction is first obtained. S.I. 1978/111.

