



PUBLIC HEALTH REGULATIONS 1987

T. TANGAROA,

Queen's Representative

ORDER IN EXECUTIVE COUNCIL

At Avarua, Rarotonga, this 22nd day of December 1987

Present:

HIS EXCELLENCY THE QUEEN'S REPRESENTATIVE  
IN EXECUTIVE COUNCIL

PURSUANT to Section 19 of the Ministry of Health Act 1984, the Queen's Representative acting by and with the advice and consent of the Executive Council, hereby makes the following Regulations.

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REGULATIONS

1. Title - These regulations may be cited as the Public Health Regulations 1987.

2. Interpretation - In these regulations, if not inconsistent with the context,-

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- "Building" means any building as defined in the Building Control and Standards Act 1968;
- "Condensing water" means any water used in any trade industry, or commercial process or operation in such manner that it does not take up matter into solution or suspension;
- "Director-General" means the Director-General of Health, and includes any person acting pursuant to a delegation to him of all or any of the powers under these regulations of the Director-General made pursuant to Section 15 of the Ministry of Health Act 1984;
- "Drain" means any sanitary drain of a building which receives the discharge of sanitary and domestic wastes;
- "Gully trap" means a trap for isolating or disconnecting waste pipes from drains, or providing a sealed inlet to a drainage system;
- "House" includes hotel, motel, boarding house, office, school, public building and any building occupied or intended to be occupied by human beings.
- "Occupier", in respect of any premises, means the person by whom or on whose behalf such premises are actually occupied, and in the case of a commercial or industrial building includes any agent, manager, foreman or other person acting or apparently acting in the general management or control of such building and in the case of any premises not in the actual occupation of any person, means the owner;
- "Person" and words applying to any person or individual, shall include a body of persons whether corporate or incorporate;
- "Pit privy" means a privy in which provision is made for the reception of human faecal matter by digging a pit;
- "Sanitary appliance" includes privy, urinal, sink, bath, lavatory, septic tank, and any fitting or fittings connected therewith, and any receptacle, appliance, or thing for the reception or removal of human or animal excreta, sewage, urine or dirty water, or other liquid waste;
- "Septic tank" means a tank or fixed receptacle for the reception and disintegration of sewage, constructed and placed as provided in these regulations;
- "Trade waste" means any liquid, with or without matter in suspension or solution therein, which is or may be discharged from trade premises in the course of any trade or industrial process or operation or in the course of any activity or operation of a like nature; but does not include condensing water, or domestic sewage;
- "Domestic waste water" means the water used in household washing and liquid wastes caused by domestic activities in any house.

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DRAINAGE

3. Drainage work - All works in connection with the construction or alteration of any drain shall be in accordance with the following specifications and conditions:

## (a) Materials to be used,-

- (i) All drains are to be at least 100mm in diameter.
- (ii) Every drain shall be constructed of sound pipes and fittings of concrete or vitrified salt-glazed stoneware or plastic or cast iron, or of other pipe material subject to prior approval by the Director-General.

## (b) Work standards,-

- (i) Unless otherwise approved by the Director-General, every such drain shall be laid to a uniform fall of not less than 1 in 40 for 100mm pipes, and not less than 1 in 60 for 150mm pipes. Provided that where the contour of the land necessitates fall substantially in excess of those herein prescribed, the Director-General may direct that drip leads be introduced where necessary;
- (ii) Pipe joints should be free from liquid or gas leakage.
- (iii) Drain pipes should be rigidly anchored by metal hangers or embedded in concrete walls or partitions.
- (iv) Trenches should be cut true to line and should be evenly graded before the pipes are laid. The pipes should be laid straight and true to line and grade. A firm foundation must be provided on which the pipes must rest evenly.
- (v) Every drain laid above ground should be properly supported on concrete piers not less than 300mm thick and not less than 300mm wider than the pipe barrel. There shall be at least one pier to each pipe, and the pipes shall be supported immediately behind the joints.
- (vi) Where trees are growing within 4m of the line of pipe, or where the trench is cut in wet or soft ground, earthenware pipes shall be laid on a bed of concrete at not less than 100mm in depth and shall be so embedded in concrete as to ensure a thickness of concrete at the sides and over the upper portion of the pipes of at least 80mm. For other types of pipes, a firm foundation of concrete, gravel or broken metal shall be provided on which the pipes must rest evenly.

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4. Drains under buildings - No person shall construct a drain under any building or portion thereof except where approved by the Director-General, and where any other mode of construction may be impracticable, and in which case the following provisions shall be observed by the person on whose behalf the drain is being laid, namely;

- (a) Such drain shall have not less than 300mm of cover between the top of such drain and the surface of the ground under such building. Provided that the Director-General may require that any such drain be totally enclosed with cement concrete not less than 150mm in thickness.
- (b) Such drain shall be provided with approved means of access at each end of that portion which is laid under such building; and shall be laid in a straight line between such means of access, or if that is not practicable, shall be laid in a series of straight lines and provided with an inspection chamber at each change of direction. The walls of such inspection chambers shall be constructed of concrete or other approved impervious material.

5. Drains in any place liable to heavy traffic - Drains laid in yards, rights of way, or any place liable to heavy traffic shall have at least 0.60m covering from the ground surface to the centre of the pipe.

6. Inlets and gully traps - (1) No inlet to a drain shall be made within or underneath a building except such inlet as may be necessary for any water closet or for a slop-sink, or for a urinal; in any such case the fittings of any such sink or urinal shall be ventilated, trapped and connected in a manner as approved by the Director-General.

(2) An inlet which is necessary for an industrial process, and which is arranged to the approval of the Director-General, maybe fixed inside the building.

(3) No opening into a drain shall be made or allowed to remain, other than such as is provided for the purpose of ventilation or inspection or for other purpose as provided in this section, unless by means of an approved gully trap.

(4) Every gully trap shall be of approved type and of self-cleansing form with a water seal of not less than 65mm or more than 95mm.

7. Joints and junction pipes - (1) Every joint shall be of an approved type and must be made watertight, and the interior of each joint shall be clear so as to have been surface.

(2) All junctions of pipe drains shall be effected by means of Y-junction pipes with a curved branch of the same diameter as the respective drains so connected. Every branch shall join a main drain obliquely in the direction of its flow.

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8. Inspection chambers - Inspection chambers shall be provided at all points where a drain changes direction, and every such drain shall be laid in straight lines between such inspection chambers. If any portion of any drain exceed 13m in length, an inspection eye, pipe or chamber shall be provided at an approved position in the course of such length.

9. Disposal of disused sanitary appliances - When for any reason any sanitary convenience, or any portion of a drain, or any fitting in connection therewith, are no longer required for use, such sanitary convenience or portion of any drain or fittings shall be efficiently closed and sealed.

10. Trade wastes and condensing water - No person shall cause or permit any trade waste or condensing water from any process owned, managed, or controlled by him to be discharged into any drain or any sewer, or into any drain connected with a sewer, unless he has obtained the permission in writing of the Director-General.

11. Sanitary conveniences - In this regulation sanitary conveniences shall be connected to:

- (a) A public sewerage system, where such system is available; or
- (b) A septic tank where no public sewerage system is available.

SEPTIC TANKS

12. Septic tanks - (1) Every septic tank shall be constructed in accordance with a model plan to be from time to time approved and issued by the Ministry of Health,

(2) An application for a permit to construct a septic tank shall be accompanied by complete plan and specifications of the proposed septic tank, if the model plan is not adopted, a statement of the number of persons residing or likely to reside on the premises and a statement of the way in which it is proposed to dispose of the effluent liquid from such septic tank.

(3) Where in addition to a septic tank it is desired or required to install additional sewage treatment facilities, complete plans and specifications of such additional facilities shall be submitted in the application. No person shall construct any septic tank which does not conform in every respect with the plans and specifications approved by the Director-General.

(4) No septic tank and no disposal system of any septic tank shall be installed within 3m of any building or within 2m of the boundary of any premises. No septic tank shall be installed in any place where, in the opinion of the Director-General it is likely to create a nuisance, or under any building, or where there are no approved means for the disposal of the effluent from such a tank.

(5) The effluent shall be conducted from a septic tank by approved means and shall be disposed of in an approved manner.

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(6) Domestic waste water shall not be allowed to flow directly into an open water course without settlement and filtration or treatment on land as the Director-General shall determine.

WATER-CLOSETS AND URINALS

13. Water-closets - Every house shall be provided with at least one water-closet. No person shall construct, alter, or repair any water-closet unless all work in connection therewith is done in accordance with the following specifications and conditions:

- (a) Every detached building used for the purpose of a water-closet shall be either a new building or shall be in a perfectly clean and sound condition, and must if woodfloored be raised so as to allow 150mm of airspace between the ground and such floor, and a height measured from floor to wall-plate or ceiling level of not less than 2m.
- (b) Every water-closet erected in a building shall be constructed in such a position that at least one of its sides shall be an external wall or wall fronting a light area or a ventilating shaft, or a pipe duct.
- (c) No water-closet shall be connected with any water supply directly, but shall be provided with a separate cistern of approved materials and construction, and such closet shall be connected with a drain leading to a septic tank.
- (d) Every closet basin trap shall be ventilated by an airtight pipe of not less than 50mm in diameter and carried either up to a point 0.60m above the eaves or connected to the extension of the soil pipe at a point not less than 0.90m above the highest closet connection.

14. Urinals - (1) No urinal shall be erected in any room or closet used for any other purpose except as a lavatory or privy.

(2) Every urinal shall have running water laid thereto and shall be provided with approved means of flushing; and where required such flushing shall be either continuous or automatic.

(3) Every urinal shall be provided with means for drainage and the disposal of the effluent to the satisfaction of the Director-General.

15. Number of persons served - The number of persons to be served by water-closets and urinals shall be as follows:

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MAXIMUM NUMBER OF PERSONS TO BE SERVED

	No.	Resi- dential	Industrial Commercial	Places of Public Assembly	Guest Houses	Schools
<u>Water Closet</u>	1	8	45	100	At least 2 for the	20
	2	14	35	250	first 4	50
	3	36	30 persons for each closet in excess of 2 (separate for male & female)	500 plus 400 for each add- itional closet (separate for male & female)	500 plus 400 for each add- itional closet (separate for male & female)	8 persons for ex- cess of 2 closet
<u>Urinal</u>	1	-	50 50 persons for each urinal in excess of 1 (separate for male & female)	50 50 persons for each urinal in excess of 1 (separate for male & female)	-	50 50 per- sons in excess of 1 urinal (separate for male & female)

PRIVIES

16. Pit privies - (1) The position of privies for the reception of human faecal matter, not being water closets shall be subject to the approval of the Director-General.

(2) Every pit or bore-hole privy constructed appurtenant to any building shall be:

- (a) Not less than 20m (65ft) from the front or street alignment of the land upon which such building is situated and not less than 3m from any other street or public way.
- (b) Not less than 2, from the boundary of any adjoining allotment of land.
- (c) Every pit privy shall be provided with a fly-proof casing and a slat so arranged as effectually to seal the pit against the entry of insects.
- (d) Every pit shall be protected against the entry of surface water and shall have approved with a cement slab or where that is not possible, shall be paved or covered with impervious material laid with adequate fall to an approved drainage outlet.

17. Dilapidated or indecent privies - Where in the opinion of the Director-General it is necessary in the interest of Public Health or decency that any existing privy should be repaired, reconstructed or removed, the Director-General may, by notice in writing, signed by an

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authorised officer, and served upon the owner or occupier of the premises on which such privy is situated, require him within 60 days to effect repairs, reconstruction or removal as shall be set out in such notice.

18. Privies for workmen - Every contractor for the construction of any building or other works shall provide privies for the use of workmen; and the number of privies so provided shall be not less than one-twentieth of the maximum number of men simultaneously employed thereon.

PERMITS AND INSPECTIONS

19. Permits - (1) No person shall erect, establish, extend or alter any drain, septic tank, disposal system or any other sanitary appliance without having first obtained a permit from the Director-General, in accordance with the provisions of these regulations.

(2) Any permit issued shall be deemed to expire and be void if work is not commenced without one period of six calendar months from the date of issue thereof; Provided that the Director-General may from time to time grant an extension of the aforesaid six months, should he consider the cause of delay to warrant the extension, and every such extension shall have the effect of continuing the validity of the permit or until the date set out in the extension.

(3) After a permit has been issued, no departure shall be made from any of the particulars supplied upon any plan drawing, specification, or document deposited with the application upon which the permit was issued, unless amended particulars clearly describing the intended deviation are supplied to the Director-General and the Director-General shall have given his written approval of such deviation.

20. Inspections - (1) Every person to whom a permit has been granted shall notify the Director-General when work is ready for inspection, and no work shall be covered up or enclosed until it shall have been inspected, tested and approved.

(2) No person shall carry out any inspection or test of the work of a person to whom a permit has been issued for the purposes of this regulation unless he has been duly appointed so to do by the Director-General.

MISCELLANEOUS

21. Compliance with building codes - Every drain, septic tank, water closet, urinal or privy, and all works ancillary thereto shall comply with any building code for the time being in force in the Cook Islands.

22. Penalties - Every person who, -

(a) does or causes to be done anything whatsoever contrary to these regulations, or who



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- (b) omits to do anything which according to the true intent and meaning of these regulations ought to be done by him at the time and in the manner in these regulations provided, or who
- (c) refuses or neglects to comply with any notice duly given him under any provisions of these regulations, or who
- (d) obstructs any officer of the government in the performance of any duty to be discharged by him under or in the exercise of any power conferred on him by these regulations, or who
- (e) shall otherwise be guilty of any breach of these regulations,

shall be liable to a penalty not exceeding \$500 or where the wrongful act, omission, or breach is a continuing one, to a penalty not exceeding \$50 for every day or part of a day during which such wrongful act or omission or other breach of these regulations continues.

P. Tangata  
Clerk of the Executive Council

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These Regulations are administered  
by the Ministry of Health.

BY AUTHORITY:  
T. KAPI, Government Printer, Rarotonga, Cook Islands - 1987