

PacLII Note: The listing of sections and headings in this consolidation is incomplete. The first regulations below relate to Section 6 and subsequent Section numbers refer direct to the corresponding section in the principal Act – The Public Health Act Cap.111.

Due to the size of these Regulations, PacLII has also published it in two parts. This is Part Two.

Cap. 111 Rev. 1985
Subsidiary Legislation Public Health

LAWS OF FIJI
CHAPTER 111
PUBLIC HEALTH

SECTION 39 - TOWNS (BUILDING) REGULATIONS

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PART I - PRELIMINARY

Short title

- 1. These Regulations may be cited as the Towns (Building) Regulations*.

† The Public Health (Building) Regulations apply in the towns of Ba, Labasa, Lami, Levuka, Nadi, Nausori, Savusavu and Sigatoka and certain other areas (see regulation 3 of those Regulations). The Towns (Building) Regulations, in their application to the cities of Lautoka and Suva, are modified by By-laws in force, or continued in force, under the Local Government Act. For ease of reference, those By-laws are published (*infra*) with the subsidiary legislation in this Chapter.

Application

2. These Regulations shall, except as otherwise expressly provided, apply to all towns†, (*Regulations 29 March 1944.*)

Interpretation

3. In these Regulations, unless the context otherwise requires -

"basement" means a storey or part of a storey partly below the ground level, the ceiling of which is not less than 5 feet above the level of the adjoining ground irrespective of any excavations made for the purpose of complying with these Regulations;

"building surveyor" means the building surveyor of the town, or his assistant, or any person duly authorised by the Board to act as building surveyor or assistant building surveyor;

"cellar" means a storey or part of a storey, or a room below or partly below the ground level, the ceiling of which is less than 5 feet above the level of the adjoining ground;

"Clerk" means the Town Clerk appointed by any Council;

"closet" includes earth-closet, water-closet, urinal and every place for the reception of faecal matter;

"commercial building" means a building used or constructed or adapted to be used wholly or in part for commercial purposes;

"Council" means the town council of a town

"dwelling-house" means a building used, constructed or adapted to be used wholly or in part for human habitation, but does not include any portion of a commercial building not used, constructed or adapted to be used for human habitation;

"external wall" means an outer wall of a building not being a party wall, even although adjoining a wall of another building;

"flat" means a room or suite of rooms occupied or designed, intended or adapted to be occupied as a separate domicile;

"habitable room" means any living room and includes any room intended or adapted to be

used for the purpose of sleeping or eating or the preparation or cooking of food;

"height of a building" means the measurement taken from the level of the ground at the centre of the front of the building to the ceiling of the highest storey of the building, provided that a parapet not exceeding 10 feet of additional height may be added:

Provided that bulkheads, lantern lights, pergolas, or other open ornamental treatment of roof gardens, or play areas, and space for water tanks or reservoirs, or lift or elevator machinery, and the like, upon the top of a building, shall not, if constructed to a design approved by the Council be taken into account in determining the height of the building;

"house let as lodgings" includes an hotel and any building or part of a house including the verandah thereof, if any, which is let or sublet as lodgings or otherwise, either by storeys, by flats, by rooms, or by portions of a room or a verandah;

"internal and divisional wall" means a wall (other than an external or party wall) which subdivides any floor of a building and carries any load in addition to its own dead weight;

"partition wall" means a wall subdividing any floor and not carrying any load other than its own dead weight;

"party wall" means a wall used or built in order to be used as a separation of any building from any other building with a view to such buildings being occupied by different persons;

"residential flat building" means a building containing two or more flats, but does not include a row of two or more dwellings attached to each other such as are commonly known as semi-detached or terrace buildings;

"tenement building" means a building erected for residential purposes, the different parts of which are to be used or intended or adapted to be used or occupied by separate families, or by members of more than one family, or by persons not of one family.
(Amended by Regulations 16 February 1938; 11 August 1942; 29 March 1944.)

PART II - SITES AND ERECTION OF BUILDINGS

Submission of plans

4.-(1) Every person about to erect a building or to add to or alter or repair an existing building shall before commencing so to do make application in the form in the First Schedule and shall file in duplicate with the Council for its approval the plans, elevations, sections and specifications of such building or buildings, additions or alterations. The applicant or his agent shall sign such plans, elevations, sections and specifications. (Amended by Regulations 16 February 1938; 11 August 1942.)

(2) One duplicate of the plans, elevations, sections and specifications shall be retained by the Council and the other duplicate of the plans, elevations, sections and specifications shall when

approved be endorsed accordingly by the Town Clerk or building surveyor and shall be returned to the applicant. (*Amended by Regulations 11 August 1942.*)

(3) The provisions of paragraph (1) shall not apply to the painting or external decorating of a building nor to minor repairs not exceeding \$50 in value. (*Amended by Regulations 16 February 1938.*)

(4) Notwithstanding anything to the contrary contained in these Regulations, the building surveyor may, if he see fit, dispense with the necessity for the submission of plans, elevations, sections and specifications with any application for approval to make minor alterations or repairs under \$50 in value in any existing building, or to erect a building for private use in conjunction with a dwelling-house for the purpose of a fuel shed, tool house, cycle shed, fernery, summer house, wireless mast or the like and not being over \$50 in value and being at least three feet from a boundary. (*Inserted by Regulations 11 August 1942.*)

Contents of plans, etc.

5. The plans, elevations and sections referred to in regulation 4 shall, except in the case of detail drawings, be drawn in ink on drawing paper or good quality tracing paper or printed upon cloth or approved paper and shall be drawn to scale of not less than 1 inch to every 8 feet, and they shall, together with the specifications clearly indicate the nature and design of the proposed structure, the heights and other dimensions of the buildings and of the rooms, passage way, and all other appurtenances thereto, the position and nature of the damp proof course, if any, the provisions, if any, for fire escape and for fire prevention; the position of the building or buildings in relation to the building line the proposals for drainage and sanitation; the proposed level of the lowest floor of such building in relation to the crown of the road, and of any yard or open space adjoining the building; and the proportion of the land or allotment which will be occupied by the proposed building or buildings.

(*Amended by Regulations 11 August 1942.*)

Design calculations may be demanded

6. Where a building is of 2 or more storeys in height above ground level and is of steel frame or reinforced concrete construction the building surveyor may demand that a copy of the designer's structural calculations be submitted with the plans and specifications

(*Inserted by Regulations 11 August 1942.*)

Application to state class of building

7. The building shall be so described in such application as to show whether it is intended to be used as a dwelling-house or for commercial purposes, or both, or otherwise.

Drainage plan

8. The applicant shall at the same time delivered or send, or cause to be delivered or sent, to the office of the Council a plan and description in writing of the intended mode of drainage of such building and site, and the means of water supply.

Materials

9. The applicant also set out in the specifications whether the materials to be used in such

building are to the best of his knowledge and belief old or new material, and, if the former, shall state where and when such materials were purchased or acquired by him.

Site plan

10. The applicant shall at the same time deliver or send, or cause to be delivered or sent, to the office of the Council a block plan of the site of such building to a scale of not less than 1 inch to every 40 feet, and such plan shall show the position of buildings already erected on the site and appurtenances of the properties immediately adjoining, and the width of the street in front, or any other thoroughfares adjoining the property.

(Amended by Regulation 16 February 1938.)

Fees payable

11.-(1) The person making application for the approval of plans and specifications shall lodge therewith a permit fee which shall cover the cost of examination of drawings and specifications and other documents and inspections of works during erection and up to the time of completion.

Such permit fee shall be determined from the following scale:-

Value of work as determined by the Building Surveyor -

<i>Fees</i>							
	\$				\$	\$	c
Not exceeding	200				..	2	00
Exceeding	200 but not exceeding				400	2	50
"	400	"	"	"	600	3	75
"	600	"	"	"	800	5	00
"	800	"	"	"	1200	6	25
"	1200	"	"	"	1600	7	50
"	1600	"	"	"	2000	10	00
"	2000	"	"	"	2400	12	50
"	2400	"	"	"	3000	16	25
"	3000	"	"	"	4000	20	00
"	4000	"	"	"	6000	25	00
"	6000	"	"	"	8000	30	00
"	8000	"	"	"	10000	35	00
"	10000	"	"	"	15000	42	50
"	15000	"	"	"	20000	50	00
"	20000.....					50	00 plus
"					\$1.25 for every \$1000 or part thereof in excess of \$20,000		
"							

(2) Where a permit lapses under paragraph (3) of regulation 12 and a renewal is required a fee of \$1 shall payable.

(3) The fee payable for the examination of preliminary plans and specifications of any building

shall be \$10.

(4) In any case where damage to a street may be caused by building operations a deposit of \$100 shall be lodged with the building permit fee. Such deposit shall be refunded in full when the certificate of completion for the building is issued provided any damage caused to the street has been repaired to the satisfaction of the city engineer.

(5) The fee for examining and approving additional copies of plans and specifications after the issue of a building permit shall be \$2 per set.

(6) The Fee for examining an amended drawing after the issue of a building permit shall be \$2.

(7) The following inspection fees shall be payable:-

(a) for any inspection required in the case of proposed structural alterations before drawings and other documents are submitted for approval, the fee shall be \$10.

(b) for inspecting old or second-hand building materials before re-using the same in a new building, the fee shall be \$10.

(8) The fee for searching drawings and other documents after a certificate of completion has been issued shall be \$2.

(Inserted by Legal Notice 151 of 1980.)

Approval

12.-(1) The Council may through its building surveyor approve such plans, elevations, sections and specifications, or specify the alterations which shall be made in the same before granting such approval.

(2) Except as provided in regulation 4, no person shall commence the work of erecting a building or commence any work of additions, alterations or repairs to an existing building without such approval.

(3) Approval shall not be considered as granted unless a building permit has been issued according to regulation 14:

Provided that -

(a) unless the Council within sixty days from the receipt of any such application accompanied by plans, elevations, sections and specifications, notifies its approval of the same, or specifies the alterations which shall be made as aforesaid, the Council shall be deemed to have approved thereof, subject to the building therein referred to being in conformity with the provisions of these Regulations;

(b) any such approval shall be deemed have lapsed unless the building therein referred to is commenced within six months from the date of such approval.

(Amended by Regulations 16 February 1938; 11 August 1942; Legal Notice 151 of 1980)

Refusal of Permit on account of age or disrepair of building

13. It shall be lawful for the Council by resolution to refuse the issue of a permit for the execution of any repairs to any building situated in any part of the town, if it shall be of the opinion that the age or state or general condition of such building is such that a permit should not be issued for repairs.

Issue of permit

14.-(1) The permit shall be in writing on the approved form and signed by the Town Clerk or the building surveyor and shall not be issued until all fees and deposits are paid. The person to whom the permit is issued shall be fully and legally responsible for the carrying out of the work as set out in the approved plans and specifications.

(2) The permit may be issued subject to conditions necessitated by these Regulations and having bearing on the application. If such conditions are accepted at the time of issue of the permit the said conditions shall be considered part of the plans and specifications.

(Inserted by Regulations 11 August 1942.)

Provisional approval

15. For the purpose of obtaining general approval to an application for tendering purposes before the issue of a building permit the Town Clerk or building surveyor may on the receipt of a request in writing from the applicant issue a provisional approval, subject to conditions if necessary. Such provisional approval shall in no way free the applicant from the responsibility of obtaining a building permit as required by regulations 12 and 14.

(Inserted by Regulations 11 August 1942.)

Deviation from permit

16. After the Town Clerk or building surveyor shall have given such permit no departure therefrom in regard to the site or in any structural particular, and no deviation affecting any matter coming within the scope of these Regulations, or such other regulations, by-laws or Acts affecting the work, shall be made from any plan, elevation, section, specification, or particulars that shall have been deposited as aforesaid, unless a notice in writing accompanied by drawings and specifications clearly describing the intended departure or deviation, shall first have been deposited with the Town Clerk or building surveyor and the Town clerk or building surveyor shall have notified in writing under his hand that such departure or deviation is in accordance with these Regulations or the said other regulations, by-laws or Acts.

(Inserted by Regulations 11 August 1942.)

Inspection

17. -(1) It shall be a condition of every permit issued under these Regulations that the building surveyor shall be entitled at all times during the day or while the work is being done, with such assistance as he may think necessary, to enter the premises and inspect the whole or any part of the work.

(2) The owner and builder, and every person engaged in the erection of a building, shall give

every reasonable facility to the building surveyor and his assistants to inspect the whole or any part of the work.

(3) In particular, the builder shall provide facilities for the building surveyor and his assistants to examine the foundations after excavation and immediately prior to concreting and to examine all reinforcements and structural steel immediately before the same is covered in.

(4) In addition, the building surveyor may in relation to any building do anything that he considers reasonably necessary to enable him to determine whether or not the requirements of these Regulations have been complied with.

(5) The building surveyor may, if satisfied that any building is being erected in substantial contravention of these Regulations, by notice in writing given to the builder, require the builder to stop building operations to such extent as the building surveyor thinks necessary in each case until the building surveyor is satisfied that the builder can and will comply with the provisions of these Regulations, and every person failing to comply with or observe any such notice shall be guilty of an offence against these Regulations. Immediately the building surveyor takes action, as indicated hereunder, to stop work, he shall report that fact to the Board, with full particulars of the circumstances and with his reasons for stopping the work.

(6) In the event of work having been stopped in accordance with paragraph (5), it shall not be resumed until the Board has given authority for so doing; and neither the builder nor any other person shall have any claim against the Board or of its officers on account of any loss suffered or alleged to be suffered by reason of the stoppage of work or for any other reason connected with the same.

(7) If any work to which any provision of these Regulations may apply be begun or done in contravention thereof, the person by whom such work shall be begun or done shall, on notice in writing from the building surveyor remove, alter, or pull down such work to such extent as may be required by the building surveyor within such time as may be specified in a notice given by the building surveyor. Any person who fails to comply with any such notice shall be guilty of a continuing offence against these Regulations.

(Substituted by Regulations 11 August 1942.)

Contravention of Regulations

18.-(1) In every case where a person who erects a building or executes any work to which these Regulations may apply, receives at any reasonable time during the progress, or after the erection of such building, or execution of such work, from the Town Clerk notice in writing specifying any matters in respect of which the erection of such building, or the execution of such work, is in contravention of any law or regulations relating to buildings and requiring such person within 7 days to cause anything done contrary to any such law or regulations to be amended, or to do anything which thereby may be required to be done, but which has been omitted to be done, such person shall, within the time specified in such notice, comply with the several requirements thereof.

(2) No permit, permission, certificate or authority, expressed or implied, given by the Board or

by the building surveyor or other officer of the Board shall authorise any building to be erected otherwise than in accordance with law.

(Inserted by Regulations 11 August 1942.)

Contractors' temporary offices, sheds, etc.

19.-(1) Nothing in these Regulations shall prevent any contractors' or builders' temporary offices, sheds, lavatories or workshops (hereinafter referred to in this regulation as "temporary buildings") from being erected of wood or iron on any building site, during building operations, with the prior approval in writing of the building surveyor.

(2) Any temporary buildings may be used only in connection with the building operations and shall not be used for living quarters except with the prior approval in writing of the building surveyor and then only by one person employed as a watchman on the site.

(3) All temporary buildings shall be removed by the contractor or builder from the building site within 7 days of completion of the building operations, and if they are not so removed, the building surveyor may give 7 days' notice in writing, requiring such removal, and in the event of the contractor or builder failing to comply with such notice, the contractor or builder or both of them shall be guilty of an offence.

(Substituted by Regulations 26 October 1965 (Suva) and 9 November 1965 (Lautoka).)

Sanitary conveniences for workmen

20. Every contractor for the erection of a new building or for the construction of any works and every person erecting a new building or constructing any works where no suitable sanitary conveniences are available shall provide in connection therewith sanitary conveniences for the use or accommodation of the employees engaged on or working in or upon such building or works, such conveniences to be a type approved by the building surveyor.

(Amended by Regulations 11 August 1942.)

Fences

21.-(1) No corrugated iron fences may be erected without the consent of the Council. All such fences shall be of new corrugated iron or of corrugated iron which in the opinion of the building surveyor is approximately new. A fence constructed of new corrugated iron shall be painted not less than 6 months after it is erected. A fence constructed of approximately new corrugated iron shall be painted immediately on erection.

(2) Barbed wire shall not be fixed to any street boundary fence adjacent to a formed footpath in use by the public except above a height of 6 feet above ground level.

(3) Every fence which consists of posts together with wire or slats or rails or steel mesh or matting and which is erected on or near a street boundary shall be constructed in accordance with the following provisions:-

(a) the posts shall be of dressed timber or concrete or other material approved by the building surveyor;

(b) where slats or rails are used such slats or rails shall be of dressed timber or other material approved by the building surveyor;

(c) the posts, slats, rails or steel mesh or matting in any particular fence shall be of uniform size and height to the reasonable satisfaction of the building surveyor:

Provided that the building surveyor may in his discretion and subject to such conditions as he may require, permit the use of posts slats, rails, steel mesh or matting other than of uniform size.

(4) The Council may by written notice to the owner of any existing fence consisting of posts together with wire slats, rails or steel mesh or matting which does not comply with the requirements of paragraph (3) require the owner thereof within a reasonable time to be stated in the notice to alter or reconstruct the fence so that it complies with the requirements of that paragraph or, at the option of such owner, to remove the fence.

(5) Paragraphs (3) and (4) shall apply only to the city of Lautoka.
(Amended by Regulations 16 February 1938; 11 August 1942; 31 July 1950.)

Maintenance of fences

22. All walls and fences including live fences of whatsoever material and howsoever constructed shall be maintained in good order and condition to the satisfaction of the Council.

(Substituted by Regulations 11 August 1942.)

Retaining walls

23. Every person who erects a retaining wall or other structure within 10 feet of any street, private street or way or public place or along jny [*sic*] boundary, or in any position where its collapse would endanger any building, shall erect such wall in brick, stone, coral, concrete or other suitable material except timber and which shall be approved by the building surveyor. Before commencing the erection of any such wall or other structure a plan and sections with a specification of materials shall first be submitted to the building surveyor for his approval as in the case of other buildings, and no such wall or other structure shall be erected until the building surveyor shall have approved of the materials and mode of construction intended not until a written permit is issued.

(Inserted by Regulations 11 August 1942.)

PART III - PROVISIONS APPLICABLE TO ALL BUILDINGS

Division 1 - General

Application

24. Except where otherwise specially provided, the provisions of this Part shall apply to all buildings. Any provision in any other Part relating to a particular class of buildings, shall, if inconsistent with any provision of this Part, prevail as against this Part.

Minimum value of buildings

25.-(1) Every building to be erected in the city of Suva fronting any of the streets or on the area

of land hereinafter referred to shall be a minimum value of \$100 per foot frontage of such building, provided that no building shall be of a less value than \$4,000. The foregoing provisions shall apply to every building to be erected fronting Victoria Parade, Thomson Street, Renwick Road, Pier Street, Margaret Street, Princes Street, or Scott Street or on all that area of land situated in the city of Suva and bounded as follows:-

Commencing at the most southern corner of Crown Grant 913 which point is on the northern alignment of Thomson Street, thence westerly and south-westerly along the said alignment of Thomson Street to the south-eastern corner of Crown Lease 407, then north-westerly along the boundary of Crown Lease 407 to the sea-wall, thence along the sea-wall northerly, north-westerly, north-easterly to the north-western corner of Crown Lease 25/17, thence south-easterly and north-easterly along the boundaries of Crown Lease 25/17 to the north-western corner of Crown Grant 913, thence south-easterly along the boundary of Crown Grant 913 to the point of commencement:

Provided that if an application is made to erect a building fronting the said streets or on the said area which in the opinion of the Council is intended to be used in connection with an existing building, permission may be given to erect such building without regard to the minimum value.

(2) Every building to be erected in the city of Suva on the Gladstone Road frontage between Carnarvon Street (including the intersection of Loftus Street and Thurston Street with Gladstone Road) and Mitchell Street shall face the said Gladstone Road and shall be of a minimum value of \$2000:

Provided that if an application is made to erect a building facing Gladstone Road as above defined, which in the opinion of the Council is intended to be used in connection with any approved building on the said road, permission may be given to erect such additional building without regard to the minimum value.

(3) Every building to be erected other than buildings referred to in paragraphs (1) and (2) and not being appurtenant to an existing building shall be of the minimum value of \$400.

(4) Save with the sanction of the Council no building erected under the provisos to paragraph (1) and (2) or being appurtenant to an existing building by virtue of paragraph (3) shall be re-erected, altered, converted or used for any purpose other than originally authorised.

(Inserted by Regulations 16 February 1938; amended by Regulations 22 September 1939; 29 March 1944.)

Proportion of area

26. In no case shall the dwelling or dwellings, together with their appurtenances, to be erected on any allotment occupy more than two-thirds of the area of such allotment. A clear space of at least 15 feet shall be provided across the whole width at the rear of the allotment, and only out-buildings having an average height not exceeding 10 feet shall be allowed within the said space.

Shops

27. All shops to be erected shall be built on the street alignment: Provided that the Council may permit or order the erection of a building at such distance back from the street alignment as is considered desirable for the safety or convenience of the public.

Building lines

28. The building line in each street or part of a street may be fixed by the Council from time to time, and when so fixed shall be marked upon a plan sealed with the Council's seal, or clearly described in a resolution of the Council and such plan or resolution shall be open to inspection by the public free of charge during the office hours of the Council.

Surveyor's certificate

29. In any case in which a building is about to be erected so as to occupy a position on or immediately adjoining the street building line or boundaries of the site, the building surveyor may, before such building is commenced, require a plan certified by a licensed surveyor setting forth the actual boundaries or street building line as determined by him.

Lands and adjoining buildings

30.-(1) Where any person proposes to erect a new building on or near land the contour of which in the opinion of the Council may restrict light, air or access to such new building or any part thereof, the Council may require such person to set back the building or any part thereof to provide light, air and access.

(2) Where any person proposes to erect a new building the external wall of which shall abut against an adjoining building the Council may require such person to set back the proposed building in order to provide an open space of a minimum width of 18 inches.

(Substituted by Regulations 16 February 1938.)

Projections

31. No person shall in erecting any building allow or make any projections therefrom, such as door or window dressings, strings, fascias, copings, parapets, blocking courses, or other architectural decorations forming part of an external wall to project beyond the street line more than 4 inches, except cornices, entablatures, or pediments which may project any distance approved by the Council.

Balconies

32.-1) (a) Balconies may be erected only over footpaths in streets or public places of 39 feet or more in width, but then only if allowed by the Council. The general dimensions, form, and design of every such balcony shall be approved by the Council previous to the necessary permit for the erection thereof being granted. No balcony erected after 27 March 1935 shall be supported by posts or other support resting on the street.

(b) Any application in respect of the erection of any balcony shall be accompanied by drawings to a scale of a quarter of an inch to a foot showing the front and end elevations and a cross section of the proposed balcony. All dimensions shall be accurately figured on such drawings, and a fully detailed specification of the work intended to be executed shall also be submitted with such application and drawings.

(Amended by Regulations 11 February 1938.)

- (2) (a) Any balcony shall be maintained by the owner of the building or premises to which the same belongs in good and substantial repair and condition to the satisfaction of the Council and shall be painted by such owner as occasion shall require. The gutters and spouts of the balcony shall be kept properly cleaned and in good repair by the owner of the building or premises.
- (b) It shall be lawful for the Council to give notice to any such owner to repair or paint any such balcony if and as often as the same may require it, and every such owner shall within 7 days after the service of such notice upon him commence to effect such repairs or painting and, in case of neglect or default in so effecting such repairs or painting, such owner shall be liable to a fine not exceeding \$10 for every day during which the default continues.
- (3) (a) The Council shall be at liberty at any time to revoke any permission granted as aforesaid for the erection of any balcony at the will of and by a resolution of the Council should the safety or the interests of the public require the same and to call upon and require the owner of the building or premises to which such balcony is annexed or forms a part to remove such balcony, and such owner shall, within 14 days from the receipt by or service upon him of a notice from the Council requiring the same, take down and remove such balcony at his own cost or expense. In any such case the Council, shall not be liable to pay any compensation in respect of such revocation or removal.
- (b) If upon the revocation and after the expiration of 14 days from the receipt of service of such notice or request for removal as aforesaid the owner shall neglect or refuse to remove such balcony, then the officers of the Council shall have power to take down and remove the same at the expense of the owner, and for that purpose the officers may, if necessary, enter into and upon the building and premises of the owner, and the owner shall for such neglect or refusal be guilty of an offence against this regulation.
- (4) (a) Except as provided in sub-paragraph (b), no person shall enclose any balcony.
- (b) Notwithstanding the provisions of sub-paragraph (a), the Council may by resolution in each particular case permit the use of collapsible canvas blinds.

Verandah

33.-(1) Verandahs to be erected over streets and thoroughfares after 27 March 1935 shall be of a cantilever type and -

(a) any verandah already erected on 27 March 1935; or

(b) verandahs to be erected after 27 March 1935, shall be maintained in good repair by the owner as is prescribed in regulation 32.

(2) Applications in respect of such verandahs shall be accompanied by drawings to a scale of a

quarter of an inch to a foot setting out the front and end elevation and one cross-section, and all dimensions shall be figured on drawings.

(3) In designing for cantilever verandahs, architects, contractors or others shall adopt a standard design and a standard height throughout a section frontage, as directed by the Council.

Site

34. A person shall not without the permission of the Council erect a building upon any site which shall have been filled with any material impregnated with faecal matter or impregnated with any animal or vegetable matter, or upon which any such matter may have been deposited, unless and until such matter shall have been properly removed by excavation or otherwise from such site, nor upon any site which is swampy or low-lying unless such has been effectively drained. It shall be competent for the Council to order the laying of 4 inches of concrete over the site to be built upon.

Sanitation - unsewered areas

35. The plans for a building where a public main sewer is not available shall include adequate provision for the disposal of night-soil and slop-water to the satisfaction of the building surveyor.

Access to rear

36. Where there is no public and convenient access to the rear of the site of any building in an unsewered district or any building to be used wholly or partly as a dwelling-house the building shall be so designed as to leave outside the building a way of access at least 3 feet wide from a public road to the rear of such building.

Sanitation - sewerred areas.

37.-(1) Every person who shall erect a building shall provide drains sufficient for carrying away from the building all surface or rain water, and also sewers for carrying away all sewage.

(2) Such sewers shall comply with the regulations or Acts relating to sewerage which are in force in the town.

(3) Where it is practicable to lay drains and sewers otherwise, they shall not be laid beneath a building.

Disposal of surface water

38.-(1) The plans for a building shall include provision for carrying off rain water from the roof thereof without causing dampness in the walls or foundations.

(2) Every person who shall erect a building shall for the purpose of carrying from the roof or flat of such building all water which may fall thereon, cause suitable and sufficient pipes or trunks, extending from the roof or flat to the ground, to be connected with gutters, chutes or troughs, which shall be provided, constructed and fixed in such a manner and in such a situation as to receive all water which may fall on the roof or flat without causing dampness in any part of any wall or foundation of such building, or any annoyance or damage to any adjoining property, and such pipes or trunks shall be so constructed and fixed as to allow such water to flow into proper

drains or receptacles.

Levels (drainage)

39. Every person who shall erect a building shall construct the lowest storey of such building at such a level that, in the opinion of the Council it may be practicable to construct a drain sufficient for the effectual drainage of such building and site.

Out-buildings

40.-(1) In the case of any application to erect as appurtenant to a building any out-building owing to the use of which unpleasant noises, unpleasant odours, or unusual risk of fire may reasonably be expected to arise, the Council may determine in what position upon the allotment such out-building may be erected, or if it may be erected at all.

(2) Any building other than an aviary used or intended to be used for the keeping of domestic animals should be wholly detached from a dwelling-house.

Framing

41.-(1) In a building constructed of timber framing, the studs and plates shall not be less than 4 inches by 2 inches and the purlins and rails shall not be less than 3 inches by 2 inches in the case of a one-storey building, and shall be suitably increased for a building of 2 storeys.

(2) All wood buildings shall be adequately braced in all walls.

(3) All wood-framed buildings for residential or business purposes shall be constructed with a framework of at least one-half the superficial measurement of the wall, roof, or floor area, respectively; that is to say, where the area of a wall is 200 square feet the framework of such wall shall be at least 100 feet superficial measure.

Fastenings

42. The roof purlins shall be adequately fastened by means of galvanized iron straps to the rafters, the rafters to top-plates and studs, the studs to bottom-plates and foundation blocks.

External walls

43. Every person who erects a building shall cause the external walls thereof to be constructed of brick, stone, concrete, timber or the like material except a building appurtenant to a dwelling-house to be used solely for the purpose of storage of firewood or as a motor garage.

Faulty materials

44.-(1) No person shall use materials which have been used in the construction of any drain or sewer, or which for any other reason are dangerous to health, in the erection of any building.

(2) No person shall use faulty or unsuitable materials in any building.

Testing of materials

45. The Council may test any building materials and prohibit the use of such materials as may be proved unfitted for the purpose for which they were intended.

Workmanship

46. Every part of a building shall be erected in good and workmanlike manner.

Division 2 - Brick or Stone Buildings

External walls

47.-(1) The external walls of a building shall, if built of stone or the like, except where herein provided to the contrary, not be less than the thickness specified in regulation 48.

(2) Brick buildings not exceeding 10 feet in height and 10 feet in length or width may be constructed with wall 4½ inches thick.

Thickness of walls

48.-(1) The external and party walls of all buildings erected in brick or dressed or cut stone shall be at least of the minimum thickness following:-

Height of wall	Ground floor	First storey	Second storey	Third storey
	Inches	Inches	Inches	Inches
Up to 15 feet	9	-	-	-
" 30 "	13½	9	-	-
" 50 "	18	13½	9	-
" 76 "	22½	18	13½	9

(2) If any external or party wall exceeds in length 30 feet clear of cross walls or buttresses, and in the opinion of the Council is inadequate for its support, the thickness of such wall shall be increased by adding 4½ inches to the thickness specified in paragraph (1).

(3) A wall shall not be deemed a cross wall for the purpose of determining the length of any external or any party wall unless it is carried up to the top of the topmost storey, and unless in each storey the aggregate extent of the vertical faces or elevations of all the recesses and that of all the openings therein taken together, shall exceed one-half of the whole extent of the vertical face or elevation of the wall in such storey.

Rubble walls, etc.

49. Rubble or undressed stone walling shall be of such thickness as may be approved by the building surveyor.

Height of walls

50.-(1) No wall shall exceed in height one and a half times the width of the street on which the building of which it forms part fronts.

(2) The height of every wall shall be measured from the level of the adjacent footpath, or where there is no footpath from the level of the street or ground outside, to the highest part of such wall

or, in the case of a gable, to half the height of such gable.

(3) Ornamental towers, turrets or other architectural features or decorations, and parapets not exceeding 5 feet in height, shall not however be included in measuring the height of such wall.

(4) In the event of a building having one or more principal fronts respectively abutting on streets which are dissimilar in width or level the Council shall determine from what point or points the height is to be measured and what street is to be taken as the street on which it fronts.

(5) Notwithstanding anything to the contrary contained in this regulation no wall shall exceed 100 feet in height.

Bonding

51. The walls and piers of all buildings which may hereafter be erected in brick shall be properly and solidly bonded together with close joints filled with cement or lime mortar. In the laying of the bricks, not more than 3 rows of stretchers shall be laid to one row of headers, and all walls and piers shall be built to a line to be carried out plumb and straight.

Cavity walls

52. Notwithstanding anything in regulation 51, any brick wall maybe built as a hollow or cavity wall:

Provided that -

(a) the cavity between the external and internal portions does not exceed 3 inches;

(b) the internal and external portions be securely tied with suitable bonding ties of galvanized iron, or iron tarred and sanded, spaced at a distance of not more than 3 feet horizontally and 18 inches vertically;

(c) the thickness of either part of such wall is not less than 4½ inches;

(d) the aggregate thickness of the brickwork of such wall is not less than that specified in regulation 47;

(e) the bottom of all cavities shall be carefully raked out before the completion of the building, and all ties kept free from mortar droppings;

(f) where cavity walls are used weep-holes shall be left at the foot of the cavity not more than 6 feet apart.

Internal or partition walls

53. The Council may on special application agree to permit of partition walls being built of other suitable material than brick or reinforced concrete.

Weight on walls

54. The dead load weight on any wall if in brick work with cement mortar, 3 to 1 or reinforced concrete shall not exceed 15 tons to the superficial foot and if in brickwork with lime mortar 5 tons per superficial foot.

Thickness

55. The thickness of every cross wall shall be at least two-thirds of the thickness prescribed for an external wall or party wall of the same height and length as that to which such cross wall belongs unless, in any particular case, the Council shall especially authorise a less thickness, but if such a cross wall supports a superincumbent external wall, the whole of such cross wall shall be of the thickness prescribed for an external wall or party wall of the same height and length as that to which such cross wall belongs:

Provided that partition walls not exceeding one storey in height may be of a thickness of 4½ inches, if the Council so permit.

Party-walls

56.-(1) All party-walls to separate any 2 complete buildings whether such buildings are of timber or not shall be of brick, dressed or cut stone, or concrete, and except in the case of reinforced concrete, shall be not less than 9 inches in thickness.

(2) Such party-walls if of reinforced concrete shall be not less than 6 inches in thickness.

(3) All such party-walls shall extend up to the underside of the roof covering.

(4) The ends of all timbers bearing upon a party-wall exceeding 9 inches in thickness shall not be laid nearer than 2 inches to the centre thereof, unless such timbers are separated longitudinally from the timbers of the adjoining house by at least 4 inches of brickwork, in which case they may bear upon the wall for two-thirds of its thickness. The ends of all timbers bearing upon a party-wall 9 inches thick shall not project through the wall, but shall have 4 inches of brickwork at the ends of the same, and all the timbers shall be separated from those of the adjoining house by at least 4 inches of brickwork.

Party fence walls

57.-(1) Party-fence walls, if of brick or the like, up to 6 feet in height, shall not be less than 4½ inches in thickness, and shall be strengthened by 4½ inch piers, properly spaced, equal to not less than 10 per cent of the length of the wall; if of concrete, not less than 4 inches thick, with piers as specified in this Part.

(2) Such brick party-fence walls, if more than 6 feet in height, shall be not less than 4½ inches in thickness for the 6 feet measured from the top, and shall be increased by 4½ inches in thickness for every additional 6 feet in height or fraction thereof, with piers as above-mentioned.

(3) Footings for such party-fence walls where not on solid soapstone shall be in width not less than twice the thickness of the wall at its base.

Wall footings

58.-(1) Every person who shall erect a building of brick, stone or the like, shall construct every wall of such building, unless built upon solid soapstone foundation, to rest upon proper footings, or upon a sufficient bressummer.

(2) The projection of the bottom of the footing on each side of such wall shall be at least equal to one-half the thickness of the wall at its base, unless an adjoining wall interferes or unless the wall is upon the boundary of the land, in which case the projection may be omitted on the side of the boundary or where the wall adjoins.

(3) The diminution of the footing shall be in regular offsets, and the height from the bottom of such footings to the base of the wall shall be at least equal to two-thirds of the thickness of the footing at its base.

Damp-proof course

59.-(1) This regulation shall apply to walls constructed of brick, stone or concrete blocks or the like materials, and to walls of any materials readily permeable by water.

(2) Every person who erects a building shall cause every wall of such building to have a damp-proof course laid the full width of the walls in such a manner as completely to insulate all floor timbers and the walls above the floor-levels from dampness arising from the ground. Such damp-proof course shall be constructed so as to comply with the other provisions of this regulation.

(3) The damp-proof course shall be of sheet lead, or asphalt or slate laid in 2 courses in cement, or of such other durable material impervious to water as may be approved by the Council.

(4) The damp-proof course shall, except as provided in paragraph (5), be laid at a height of not less than 6 inches above the level of the surface of the ground adjoining the wall.

(5) The damp-proof course shall, subject to the other provisions of this regulation, be laid at or beneath the level of the underside of the plates supporting the lowest floor of the building not being the floor of a cellar adapted and intended to be used for the purpose of storage only.

Basement and cellars

60.-(1) Where any part of the lowest floor of the building shall be below the level of the surface of the ground immediately adjoining the exterior of the building and where the ground will be in contact with the wall, the wall itself or such part thereof as will be so in contact shall be so constructed as to be impervious to moisture, from the base of the wall, to a height not less than 6 inches above the level of the surface of the ground immediately adjoining the wall, or, if the Council so require, all walls and floors below ground level shall be made damp-proof by means of dry areas, or vertical and horizontal damp-proof courses, to the satisfaction of the Council.

(2) The proposed method of laying and the proposed materials to be used in a damp-proof course, shall be specified in the application submitted for the approval of the Council for the erection of the building. The damp-proof course shall be laid to the satisfaction of the Council or of the Council's authorised servant.

(3) Where the ground upon which any building is to be erected is subject to flooding, the Council may notwithstanding anything hereinbefore contained require that the distance of 6 inches above the level of the surface of the ground wherever mentioned in other parts of the preceding regulations be increased to such number of inches as the Council may, in the circumstances of the case, deem reasonable, and every person who shall erect a building shall comply with that requirement.

Division 3 - Reinforced Concrete Buildings

Application

61. The provisions of this Division shall apply to all structures to be carried out in reinforced concrete, unless inconsistent in any respect with the provisions of Part VI dealing with the erection of reinforced concrete buildings of the commercial class, in which case the provisions of Part VI shall prevail.

Cement

62.-(1) The cement to be used shall conform in every respect to the requirements of the standards of the Fiji Government for cement.

(2) Notwithstanding the production of certificates of vendors' tests and analyses the building surveyor may, at his discretion, require that, after the cement has been brought on to the site of the works, further tests shall be made as he considers necessary to ensure that the cement complies with the specification. If the building surveyor requires further tests to be made, the cement shall not be used without his permission. The cost of such tests shall be borne by the builder.

(3) The cement to be used shall be fresh, free from lumps, and shall be stored and handled at all times so as to be protected against moisture from the air, ground or any other source whatsoever.

Any cement which has become caked or has otherwise deteriorated shall be removed from the site of the works.

(Substituted by Regulations 20 August 1962 (Lautoka) and 23 August 1962 (Suva).)

Aggregate

63. Sand and gravel or crushed stone shall be clean, free from loam or other foreign matter, and of size and character suited to the nature of the work in which it is to be used.

Steel

64. The steel used for the reinforcement of concrete construction or for structural steel construction shall be commercial mild steel bars and shall conform to the British Standard Specification for steels of these classes respectively; and when embedded in concrete shall be quite free from rust or scale, paint, or other matter likely, in the opinion of the building surveyor, to lessen or destroy the adhesion of steel and concrete; and when unprotected by concrete it shall be well painted or galvanized.

External walls

65.-(1) No concrete wall shall be erected which has not adequate support at both ends by means of piers, cross-walls, abutments, or other support approved by the building surveyor.

(2) No concrete external wall shall be erected which shall be less than 4 inches in thickness:

Provided that the building surveyor may require that the thickness of such walls be increased on account of any special circumstances or conditions which, in his opinion, warrant such an increase.

(3) In all concrete external walls of buildings with wooden ground floors, adequate provisions shall be made in the base of the wall for ventilation and cross ventilation of the space under the floors.

(4) The bases of all wall piers shall be enlarged as may be necessary to distribute the total load carried by the pier, according to the bearing capacity of the subsoil or sub-foundation.

(5) The width of the foundation of wall panels shall be at least twice the thickness of the wall panel. The bases of all wall panels supported by piers shall be carried down into the ground a sufficient distance to prevent the entry of surface water or seepage into the area under the ground floor, and the building surveyor may, if he deem it necessary, direct that special drainage be provided to prevent such entry of surface water or seepage under wall panels between piers.

Internal and partition walls

66.-(1) Internal and partition walls, if in reinforced concrete shall be at least 4 inches thick, and reinforced as provided in regulation 74 but using three-eighths of an inch reinforcement.

(2) The junction of all internal walls with external walls and with adjoining internal walls shall be monolithic in construction and the horizontal steel reinforcement shall be carried from one wall into the other a distance of not less than 18 inches, and mechanical anchorage shall be provided by hooking or cranking the ends of all such bars.

(3) The provisions set out in paragraph (3) of regulation 65 for the ventilation through the external walls of the space under floors shall also apply to internal partition walls.

(Amended by Regulations 16 February 1938.)

Plans, specifications and schedules

67. In the case of any proposed reinforced concrete building the following plans, specifications and schedules shall be submitted in duplicate to the Board in addition to the plans, specifications and application required by regulation 4:-

(a) a frame diagram or detail of the skeleton frame-work of the building showing the disposition and arrangement of all foundation piers or piles, grillages, rafts or other foundation construction; all columns, piers, pillars or stanchions, wall beams, beam-girders, floor beams or trimmers, wind-bracing, and roof principals;

(b) a schedule setting out the calculated loads on all floors and sections of floors and roof, properly cross-referenced to the frame diagram referred to above, and setting out all loads carried by piers, pillars, stanchions or columns; live and superimposed loads and dead-weight loads being separately scheduled with total load carried by each member;

(c) a schedule of calculated loads and details of loading all beams, cross-referenced to the frame diagram;

(d) detailed calculations of dimensions and reinforcement of all piers and beams and stanchions, rolled steel joists or girders as set out in the frame diagrams, and as designed to carry the several loads respectively set out in the schedules referred to above.

Formulae

68. The formulae to be used in the calculation and design of all structural members in reinforced concrete or steel buildings shall be in accordance with the Second Schedule.

Thickness of protecting coating for fire resistance

69. The thickness of the protecting coating, measured from the outer surface of the concrete to the outer surface of the steel reinforcement, shall be not less than 2 inches of concrete on girders and columns, 1½ inches on beams, and 1 inch on slab floors. Such protecting coating shall not be included in calculations of strength.

Distance from reinforcing bar to edge

70. The distance from the centre of a reinforcing bar to the edge of the concrete shall not be less than one and one-half times the diameter of the coarse aggregate, plus half the diameter of the bar.

Concrete

71. The concrete used in the construction of buildings of this class shall conform to the following requirements:-

(a) it shall develop a crushing strength or at least 1,800 pounds per square inch after 28 days;

(b) it shall resist the disintegrating action of fire, and no aggregates which fly under the action of heat shall be used in the construction of structural members;

(c) in external walls it shall be sufficiently dense to prevent the percolation of moisture into the interior of the wall;

(d) in all work above ground-floor level, it shall be free from salt in sand, aggregate, or water.

Columns piers, or pillars

72. Columns, piers or pillars if constructed of reinforced concrete shall have vertical reinforcement of a total cross section area designed in accordance with the Second Schedule:

Provided always -

(a) that there be at least 4 vertical rods of a minimum diameter of half an inch in all rectangular piers, and at least 6 vertical rods of a minimum diameter of half an inch in all circular or curvilinear columns;

(b) that the pitch of the laterals or hoops shall not exceed the effective diameter of the pier;

(c) that when the width of a rectangular pier is equal to or greater than one and a half times its depth or thickness, the minimum number of vertical bars shall be 6, and additional lateral ties shall be provided in the middle of the pier sections.

Beams

73. Beams when constructed of reinforced concrete, shall have steel reinforcements placed approximately at the centre of tensile resistance of area in cross section designed in accordance with the Second Schedule:

Provided always -

(a) that the effective depth of the beam shall not be less than one-twenty-fourth of the span;

(b) that in addition there be provided a cover of at least 2 inches of concrete over all bars, measured from the underside, and not the centre of the lowest bars;

(c) that where beams are cast monolithically with, that is to say, at the same time as, the floor slab, the effective depth of the beam may be taken as from the top of the slab; but when the slab is cast later than the beam, the effective depth shall be taken as from the underside of the slab;

(d) that all beams shall be provided with adequate shear members or stirrups spaced according to the distribution and intensity of the shearing stresses, and never further apart than the effective depth of the beam, and such shear members or stirrups shall be passed under the tensile reinforcement or otherwise secured thereto and have mechanical anchorage at both ends in the concrete not lower than the centre of compression in the beam.

Wall panels

74.-(1) In commercial buildings and the like as enumerated in Part VI, wall panels shall be at least 6 inches thick in all exposed external walls, the horizontal reinforcement being carried through or bonded into the piers or columns.

(2) The reinforcement in wall panels shall be not less than half-inch vertical rods spaced not more than 12 inches apart, with three-eighth-inch horizontal rods spaced not more than 12 inches

apart, and well secured at passings.

Floor slabs

75. Suspended floor slabs shall be not less than 4 inches thick and the thickness shall increase in proportion to the load.

Joists-girders

76. Roller steel joists or girders may be used in floor construction, subject to the provisions of regulations 64 and 67:

Provided always that the span of a joist or girder shall not exceed 24 times the depth of the joist or girder.

Division 4 - Fire

Fire-escapes

77.-(1) Except where otherwise provided, a fire-escape shall be on the outside of the building, and shall be so designed and constructed that it shall not pass across windows (except in the case of windows provided with self-closing, fire-resisting shutters or metal-frame windows filled with wired glass). It shall not over-hang a public place without the permission of the Council, and such permission shall not be given in relation to any road other than a back lane.

(2) A fire-escape shall be of fire-resisting construction.

(3) A fire-escape shall extend from the roof (if flat) or from the top floor (in other cases) to within 12 feet of the ground level.

(4) A fire-escape shall be so constructed and so fixed as to be capable of carrying with absolute safety the largest number of people who may reasonably be expected to be upon the fire-escape at one time.

(5) A fire-escape shall give direct access to a public place, or to a court-yard or open area connecting directly with a public place. It shall be directly accessible from each floor of the building which has not direct communication with the ground and the doors of the building which open to the fire-escape shall (if they are not sliding doors) open outward, and shall lie flat against the wall so as not to obstruct the landings. Any doorway opening to a fire-escape shall be not less than 6 feet 3 inches high and not less than 2 feet 6 inches wide.

(6) A fire-escape shall have full-landings (or quarter-landings where flights of stairs are at right-angles to each other); also protecting hand-rails, and either guard-rails or wire enclosure. Winders shall not be allowed. The lowest landing, if not on the ground level, shall be not less than 15 square feet in area.

(7) The stairs of a fire-escape shall be uniform throughout, with risers not more than 8 inches, and treads not less than 8 inches exclusive of nosings, if any. Each flight of stairs shall contain not less than 2 nor more than 18 risers, shall have a clear width of not less than 2 feet, and shall

have clear head-room at every part of not less than 6 feet 6 inches.

"Tower-type" fire-escape

78. Wherever in these Regulations it is required that a fire-escape shall be provided, a "tower-type" enclosed fire-resisting staircase, with fire-resisting and reasonably smoke-proof doors and windows, may be substituted for an external fire-escape.

Alternative provision for blocks of buildings

79. As an alternative to the provision of individual fire-escapes for each one of a continuous group of buildings, the Council may permit buildings to be so designed (where there is mutual agreement between the owners of buildings for the purpose) as to provide fire-escape access from the roof of one building to the roof of another with a fire-escape at each end of the block of buildings:

Provided that each of the buildings, which by the operation of this regulation, has no fire-escape, shall have its own separate staircase leading to the roof, and the door opening to the roof shall have an automatic fastening capable of being readily opened from the inside.

Division 5 - Closet and Bathroom Accommodation

Closets

80.-(1) In every building intended for human occupation closet accommodation shall be provided as follows:-

(a) *Dwelling-house*: For every dwelling house, at least one closet;

(b) *Dwelling-houses having a value of \$1,200 or more*: For every dwelling-house having a value of \$1,200 or more at least 2 closets, one of which shall be for the use of servants:

Provided that in the city of Suva for every dwelling-house having a floor area of 1,000 square feet or more there shall be at least 2 closets, one of which shall be for the use of servants;

(c) *Flat buildings*: For every flat at least one closet;

(d) *Tenement buildings*: Separate closets for each sex at the rate of one closet for every 16 males or part thereof and one closet for every 16 females or part thereof ordinarily residing in the building;

(e) *House let as lodgings (excluding tenement buildings and flat buildings)*: Separate closets for each sex at the rate of one closet for every 12 males or part thereof and one closet for every 12 females or part thereof ordinarily lodging or residing in the building.

(2) In every building intended for any work, trade or business, closet accommodation shall be provided as follows:-

(a) where the number of persons ordinarily present in or about such building during the whole or part of the day exceeds 10, separate closets shall be provided for each sex for every 20 such persons or part of 20 persons of either sex;

(b) where the building includes more than one warehouse, factory, shop, office or other business it shall be optional to provide closets for the building as a whole or for each separate unit in the building.

(3) For every day-school carried on in a building used solely for school purposes, separate closets for (a) teachers and adults, and (b) children, respectively according to the following scale:-

Teachers and adults. - Separate closets for each sex, at the rate of one closet for every 20 persons or part of 20 persons of either sex ordinarily present in or about the building during part or the whole of any day.

Children-Boys. - One closet for every 33 boys or part of 33 boys up to 200 boys, and an additional closet for every 50 or part of 50 boys over the number of 200.

Girls. - One closet for every 20 girls or part of 20 girls up to 200 girls, one additional closet for every 25 girls or part of 25 girls over that number up to 300 girls, and one additional closet for every 33 girls or part of 33 girls over 300.

The number of closets to be provided for children shall be determined by the average attendance at the school during the immediately preceding quarter of the year. (*Amended by Regulations 11 August 1942, 25 April 1946*)

Bath-room

81.-(1) For every hotel, boarding-house or house let as lodgings there shall be provided separate bath-rooms for each sex at the rate of one bath-room for every 12 males or part thereof and one bath-room for every 12 females or part thereof ordinarily residing on the premises except that in the case of a tenement building separate bath-rooms shall be provided at the rate of one bath-room for every 16 males or part thereof and one bath-room for every 16 females or part thereof.

(2) All bath-room walls shall to a height of 3 feet 6 inches above floor level be constructed of concrete with a smooth surface or be covered internally with an approved impervious material.

(3) For every hotel or boarding-house there shall be included in the above required bath-rooms slipper baths with hot running water for each sex at the rate of one for each 24 persons or part of 24 persons of each sex ordinarily lodging or residing in the premises.

(Substituted by Regulations 11 August 1942)

Grouped bath-rooms

82.-(1) Where grouped bath-rooms are constructed each group shall be available for one sex only. In the case of hotels and boarding-houses the bath room shall be equipped in addition with

at least 2 lavatory basins. Closet shall not be placed in or open directly into a grouped bath-room.

(2) The total floor area for a grouped bath-room shall be not less than the total area calculated by allowing 30 square feet for each shower and 10 square feet for each lavatory basin. (*Substituted by Regulations 11 August 1942.*)

Division 6 - Miscellaneous

Removals

83. In the event of any person desiring to remove a building wholly or in part from one allotment to another, or from one part of an allotment to another part thereof for re-erection thereon, such person shall make written application to the Council for its approval, submitting plans and particulars as in the case of a new construction, and each building when re-erected wholly or in part shall conform to these Regulations.

Savings

84.-(1) If in the opinion of the Council a full compliance with these Regulations would needlessly and injuriously affect the course and operation of business, or be attended with great loss and inconvenience to any person, without a corresponding benefit to the community, the Council may on special application, and subject to the approval of the Minister, relax the strict observance of any provision, or modify the same, provided that such other terms as they may impose be complied with by the applicant.

(2) If on application being made for the erection of a temporary structure the Council is of the opinion that a full compliance with these Regulations would be attended with loss and inconvenience to any person without a corresponding benefit to the community the Council may waive the strict observance of any provision or may modify the same provided that such other terms that it may impose be complied with by the applicant. The Council shall have power to grant such application for a period not exceeding 6 calendar months and at its pleasure re-new the same from time to time for a similar or less period.

(Inserted by Regulations 16 February 1938.)

PART IV - DOMESTIC OR RESIDENTIAL BUILDINGS (DWELLING-HOUSES)

Application

85.-(1) This Part shall, in addition to Part III, apply to dwelling-houses, and the provisions of this Part shall, where inconsistent with the provisions of Part III, to that extent replace those provisions in relation to dwelling-houses.

(2) The regulations under Part V with respect to light, ventilation, windows and sanitation shall apply to the buildings of this class.

Minimum area of site in city of Suva

86. No new building intended solely for residential purposes shall be erected except on a site which shall be at least 6,600 square feet in area, provided that this regulation shall not apply to

allotments of smaller area left in subdivisions made in the city of Suva prior to 4 November 1938*. (See Cap. 125.)

(Amended by Regulations 16 February 1938; 26 October 1938; 29 March 1944.)

Space outside windows on side-lines

87. If there be any side-wall of a dwelling-house in which it is proposed to provide a window or door opening, that wall shall be set back (throughout its whole length) from the side-line of the allotment to a distance of 3 feet in the case of a dwelling of one storey or to a distance of 5 feet in the case of a dwelling of 2 storeys. This regulation shall not apply to windows fronting the street boundary or a registered easement of sufficient width to provide the necessary outside space:

Provided that in the city of Lautoka the side-wall of any dwelling-house shall be set back from the side-line of the allotment to a distance of 8 feet.

(Amended by Regulations 9 November 1946.)

Rooms

88.-(1) Every person who erects any building shall provide that every habitable room thereof shall have a floor space of at least 84 square feet:

Provided however that a kitchen may have a floor space of 50 square feet.

(2) Every person who erects a building shall construct every room of such building which shall be intended to be used for human habitation in accordance with the following requirements as may be applicable to the circumstances of the case, that is to say:-

(a) every such room which is an attic or an enclosed verandah wholly or partly in the roof of such building shall, for at least two-thirds of the area of the floor, be not less than 8 feet high and shall not in any part be less than 7 feet in height and shall not, except in the case of a kitchen, have a cubic space of less than 672 cubic feet;

(b) every such room which is not a kitchen, an attic or a verandah room wholly or partly in the roof of such building, shall not in any part be less than 8 feet in height;

(c) the regulations as to overcrowding provided for in Part V shall also apply to this Part.
(Substituted by Regulations 31 May 1955 (Suva) and 18 July 1955 (Lautoka).)

Ventilation

89.-(1) Every person who erects a building shall so provide for the purpose of ventilation that there shall be between the under side of the lowest timber of the floor framing upon which the ground floor of such building is laid, and the ground surface or upper surface of the asphalt or concrete with which the ground surface or site of the building is covered, a clear space of 6 inches at least in every part, and such space shall be thoroughly ventilated

* The date of coming into force of the Suva (Subdivision of land) By-laws.

and cross-ventilated by means of suitable and sufficient air-bricks or other effectual method:

Provided that where the lowest floor is so constructed (by filling with concrete, asphalt, or other approved material) as not to permit the harbouring of rats, this provision shall not apply.

(Amended by Regulations 16 February 1938.)

(2) Every person who shall erect a dwelling-house shall provide in every room thereof, for every 100 feet or part thereof of floor space, 120 square inches at the least of unobstructed ventilation to the outer air by means of air-bricks or other efficient ventilators situated at or near the level of the ceiling.

(3) Every person who shall erect a building shall construct in every habitable room of such building one window or glazed door at the least opening directly to the external air or an approved verandah or balcony, and shall cause the total area such window, or if there be more than one, of the several windows, clear of the of sash frames to be equal at the least to one-tenth of the floor area of such room. Such person shall also construct every such window so that one-half at the least may be opened, and so that a 6 inch opening may extend in every case to the top of the window:

Provided that -

(a) in a pantry any other system of ventilation may be substituted for windows, if the Board be satisfied that such system is equally efficient:

(b) in a building to be used solely for commercial purposes the Council may permit a more suitable design and disposition of window area.

(Amended by Regulations 16 February 1938; 11 August 1942.)

Size of windows

90.-(1) The window or windows of any room shall have a superficial area (clear of the sash frame) not less than one-tenth of the floor area of the room or (if the following size be greater than one-tenth of the floor area) not less than 10 square feet for the windows of a kitchen or alcove or room in which food is intended of likely to be prepared, not less than 6 square feet for the windows of an enclosed laundry, not less than 3½ square feet for the windows of a bath-room, and not less than 2 square feet for the window of a privy-closet.

(2) In case of rooms in which the only window openings are on to an enclosed verandah or enclosed balcony the window areas as required above shall be increased by 25 per cent, except that under no circumstances shall the window of a closet open on to any enclosed verandah or balcony. An enclosed verandah or balcony shall not be approved for the purpose of regulation 89 unless at least one-half the area of the longest side shall consist of glass, wire mesh, louvres or other approved material which shall admit direct light or air. Not less than half this required area shall admit light and at least two-thirds of it shall be capable of admitting air. *(Amended by Regulation 11 August 1942)*

Bedrooms - additional ventilation

91. In every bedroom or room intended or adapted to be used for sleeping and having only one

window there shall be provided inlet or cross ventilation by means of at least 40 square inches of unobstructed opening in some wall of the room other than that in which the window is situated. Such opening may be by an additional window, fire-place, fan-light, air-brick or any suitable means.

Laundries, kitchens and bath-rooms

92.-(1) A dwelling of any kind shall not be erected with the kitchen and laundry combined in one room.

(2) Every dwelling-house shall be provided with a completely enclosed bath-room, or combined bath-room and laundry with wash-tubs and copper or other means of washing clothes, and the water laid thereto. The floor surfaces of bath-rooms on any floor and of laundries when above the ground floor shall be of impervious material, properly graded and drained. The wash-tubs, copper and bath shall not be placed in the kitchen.

(3) Each bath-room or laundry shall have at least 30 square feet of floor area, and a combined bath-room and laundry shall have at least 56 square feet of floor area.

(4) The kitchen shall have a floor area of at least 50 square feet and the ceiling height shall be at least 8 feet and be provided with a fire-place and approved drawing chimney carried up 2 feet above the kitchen roof and to be supplied with a cowl and a kitchen sink with trap and running water, connected with the sewerage system if available:

Provided that in the city of Suva such kitchen chimneys shall be carried up to the height hereinafter prescribed for metal chimneys from domestic ranges in the city of Suva.

(Amended by Regulations 11 August 1942; 13 March, 1946.)

(5) In the city of Suva -

(a) all metal stove pipes from domestic ranges shall be of not less than 22 gauge of black or galvanized sheet iron (or 16 oz. muntz metal or brass) carried up to ceiling height or to the underside of the roof iron in the case of unceiled buildings. They shall terminate with an outside chimney of galvanized sheet iron (or muntz metal) of equal gauge to the stove pipe with a diameter not less than 4 inches greater than the stove pipe. The chimney shall be fitted with a cone or hood of galvanized iron (or muntz metal) of not less than 24 gauge and a flashing sheet of similar material not less than 26 gauge galvanized iron (or 16 oz, muntz metal) united and soldered thereto. The chimney shall terminate at the ridge level or not less than 3 feet above the roof level or not less than 6 feet above the level of any opening within a radius of 10 feet from such chimney, whichever height shall be the greater;

(b) no chimney or smoke flue shall be fixed or constructed nearer than 6 inches to any woodwork or combustible material unless encased in non-conducting or incombustible material to the satisfaction of the building surveyor;

(c) unless otherwise permitted by the Council a pipe for conveying smoke shall not be

fixed against the exterior wall of any building on the face adjoining any street, lane or alley, at a lesser height than 6 feet from the ground, unless insulated to the satisfaction of the building surveyor;

(d) every bath-heater, not electric, shall be provided with a stove pipe not less than 3 inches in diameter and not less than 22 gauge of black or galvanized sheet iron (or 16 oz. muntz metal or brass) discharging into the open air not less than 3 feet above the roof level and carried for not less than 6 feet above the level of any opening within a radius of 10 feet from such stove pipe. The stove pipe to be fitted with a cone or hood of galvanized iron (or muntz metal) of not less than 24 gauge and a flashing sheet of similar material not less than 26 gauge galvanized iron (or 16 oz. muntz metal) united and soldered thereto. Such stove pipe shall not be less than 9 inches from any woodwork unless insulated to the satisfaction of the building surveyor;

(e) chimneys of bakehouses, cafes, hotels, boarding-houses, blacksmiths shops, laundries and boilers, consisting of metal shall be constructed of such thickness as shall be approved by the building surveyor and shall be properly flashed and stayed and shall be provided with a suitable cowl and flashing and shall be not less than 9 inches from any woodwork unless suitably insulated.

(Inserted by Regulations 13 March 1946.)

Yards

93. It shall be competent for the Council or the building-surveyor to direct that any portion of the rear or side-yard area of any dwelling-house be paved in concrete or other impervious material.

Hospitals and nursing homes (public or private)

94.-(1) Hospitals and nursing homes or buildings designed or intended or adapted to be used as hospitals and nursing homes shall comply with the following special provisions in addition to the other provisions of these Regulations which apply thereto.

(2) Every hospital and nursing home shall have at least 2 means of exit as remote as practicable from each other, with the corridors and stairs, if any, leading to such exits of ample width for the removal of patients in case of fire.

(3) A hospital and nursing home of timber construction shall not exceed one storey in height.

(4) A hospital and nursing home of 2 storeys and over in height shall be of fire-resisting construction.

(5) The minimum width of any door or doors between a ward and the 2 exits, or of any stair between a ward and the 2 exits, shall be 3 feet 6 inches, and the minimum width of any passage between wards and the 2 exits shall be 4 feet. The building shall be so planned that occupied beds may be wheeled or carried from the wards to the 2 exits.

Earth closets-unsewered area

95. The owner or occupier of any land who shall hereafter erect a building for the purpose of a

closet, or use or permit to be used for such purpose any building which has not heretofore been used for such purpose, shall cause such building to be constructed in accordance with the provisions of this regulation -

(a) the walls shall be of weatherproof material, and at least 7 feet high. There shall be provided in one of the external walls a window capable of being opened directly to the outer air, of dimensions not less than 2 feet by 1 foot, exclusive of the frame, or other equivalent means of lighting and ventilation approved by the Council. In addition to such window adequate means of constant ventilation shall be provided by at least one air-brick or grating, which shall afford at least 24 square inches of free opening, and shall be built into or fixed over an opening in one of the external walls, or by an air-shaft or some other contrivance which shall afford a free opening to the external air of not less than 54 square inches:

Provided that in the case of a range of closets, where the partitions between the closets do not commence at the floor and go up to the roof, such adequate arrangements for lighting and ventilation shall be made as the Council may approve;

(b) the floor shall be of concrete, bricks and cement, or such other materials impervious to water as may be approved by the Council and not less than 4 inches in thickness, and shall have a fall or inclination towards the door of at least one-quarter of an inch to the foot;

(c) each closet provided shall be at least 3 feet wide and 5 feet long, internal measurement, and shall have a door capable of being fastened on the inside;

(d) where 2 or more closets, or ranges of closets, provided for different sexes or in respect of adjacent buildings adjoin, there shall be between every 2 adjoining closets, or ranges of closets, a sufficient dividing wall at least 4 inches in thickness in concrete extending from the floor to the roof so as to effect a complete separation.

Position of closet

96. In the case of closets erected separately from any other building, the Council may take into consideration the proposed position, having regard to other neighbouring buildings, and may require the alteration of the proposed position, having regard to its effect on the amenity of the locality.

Closets shall be properly fitted

97. In every pan-closet hereafter constructed a movable box shall be provided, no bigger than is necessary to enclose the pan, fitted with a seat, which shall be at a level of not more than 16 inches above the floor, in which box there shall be a suitable opening. Such opening shall be furnished with a hinged lid, which shall be kept closed when the closet is not in use. The box shall be adequately ventilated by small openings on 2 sides, placed near the top, covered with perforated zinc or other suitable fly-proof material, and shall be generally so constructed that it can be completely lifted off when the pan needs emptying.

Dilapidated closets - penalty

98. Where, in the opinion of the Council, it is necessary in the interest of health or decency that any existing closet should be repaired or reconstructed, the Council may, by notice in writing, signed by the Clerk and served upon the owner, require him within 28 days to effect the repair or reconstruction set out in such notice. Any person neglecting or failing to comply with such notice shall be liable to a fine not exceeding \$2 for each day after the expiration of the time allowed in such notice during which such failure or neglect continues.

Accessibility of closet

99. A closet shall not be constructed on any premises, except in such a position as to admit of all night-soil being removed without being carried through any dwelling-house or public building, or through any building in which any person may be or may be intended to be employed in any manufacture, trade, or business.

Permission to construct

100. A person shall not construct a closet on any premises unless the Clerk has been informed beforehand in writing of the proposed position, construction, dimensions, and materials of such closet, and has approved thereof in writing.

(Amended by Regulations 16 February 1938.)

Septic tanks

101.-(1) A septic tank shall not be constructed or used on any premises after a date on which the owner or occupier has been required to connect his premises with a sewerage system.

(2) A septic tank shall not be constructed or altered without permission of the Council.

(3) An owner or occupier of premises who proposes to construct a septic tank shall, before commencing work, apply in writing to the Council for permission so to do. Such application shall be accompanied by -

(a) complete plans and specifications of the proposed work; a block plan, to scale of the premises and of the adjoining premises, public ways, or places, in which the proposed position of the septic tank and all drains is accurately shown;

(b) a statement of the way in which it is proposed to dispose of the effluent waters from the septic tank; and

(c) a statement of the number of persons residing, or probable number of persons about to reside, on the premises.

(4) The Council may, after submitting such plans to the Central Board of Health, grant or withhold permission, but shall not grant permission in any case or under any circumstances in which the Central Board of Health recommends refusal.

(5) The information required by paragraph (3) shall be furnished in duplicate, and one copy shall be retained by the Council. *(Amended by Regulations 16 February 1938.)*

(6) If a septic tank becomes, in the opinion of the Council or of the Central Board of Health, a nuisance or danger to health, the Council or the Central Board of Health may, by notice in writing signed by the Clerk or the Secretary of the Central Board of Health direct the owner of the premises to remove it, and the occupier of the premises to cease from using it forthwith. Such owner or occupier shall comply with such notice.

(Amended by Regulations 16 February 1938.)

(7) No person shall construct a septic tank in contravention of any of the provisions of these Regulations, or which is in any respect not in conformity with the application approved by the Council.

(8) All pipe work, tank construction or sanitary fittings installed in connection with any septic tank system shall only be carried out by or under the supervision of licensed drain-layer and sanitary plumber licensed by the sewerage authorities and in accordance with the sewerage regulations.

Poultry sheds

102. The Council may require in the case of existing and new structures by notice in writing, that any poultry house or run comply with any or all of the following conditions:-

(a) such house, yard or run containing or intended to receive domestic or guinea fowls shall not be situated within 30 feet of a dwelling-house, school, or public place; and for the reception of other poultry it shall not be within 100 feet thereof;

(b) the floor of such house shall be paved with concrete or other impermeable materials, graded and drained;

(c) such house, yard or run to be enclosed to prevent the escape of poultry.

PART V - RESIDENTIAL BUILDINGS (FLATS AND TENEMENTS)

Application

103. This Part shall, in addition to Part III and Part IV, apply to residential flat buildings and tenement buildings, and the provisions of this Part shall, where inconsistent with the provisions of Part III and Part IV to that extent replace those provisions in relation to residential flat buildings and tenement buildings.

Alteration of other buildings to dwellings or flats

104. Where it is proposed to alter a building so that it may be used as a dwelling-house or residential flat building, the Council may require that the whole building (when so altered) shall comply with the provisions of these Regulations which apply to a dwelling-house or residential flat building as the case may be.

Proportion of site which may be covered

105.-(1) A residential flat building shall not occupy more than 50 per cent of the allotment of

land on which it stands:

Provided that -

(a) where the building is not more than 3 storeys in height (not including the cellar, if any) it may occupy two-thirds of the allotment;

(b) where a residential flat building has a common flat roof it may occupy two-thirds of the allotment;

(c) a residential flat building shall not be erected nearer to the boundary between the allotment on which it stands and any adjoining allotment, exclusive of verandahs, than a distance of 3 feet for a building which is either one or 2 storeys above the ground on the side towards that adjoining allotment, with 18 inches additional distance for every additional storey above 2 storeys.

(2) Where residential quarters are built over shops, the floor area of such residential quarters shall not exceed two-thirds of the area of the allotment.

Sound-proofness of walls

106. The dividing walls between flats when not of brick or reinforced concrete shall be constructed of double board from floor to ceiling and the floors between flats shall be so constructed as to minimise the conducting of sound.

Common hall - width, light and ventilation

107.-(1) A common hall serving flats, containing together not more than 8 habitable rooms, shall be not less than 3 feet 6 inches wide, and shall be increased 3 inches in width for every additional 8 habitable rooms, or fraction thereof served:

Provided that a common hall leading from a main entrance to a stairway shall in no instance be less than 4 feet wide.

(2) A stairway where serving flats containing together not more than 60 habitable rooms shall be not less than 3 feet 6 inches wide; when serving flats containing together more than 60 but not more than 70 habitable rooms such stairway shall be not less than 3 feet 9 inches wide; when serving flats containing more than 70 but not more than 80 habitable rooms it shall be not less than 4 feet wide:

Provided that where an elevator is installed the stairway shall be not less than 3 feet wide.

Privacy

108. In every flat containing more than one bedroom, bedrooms shall be separately accessible, and one bath-room and one water-closet, if in a separate compartment, shall be accessible without passing through a bedroom.

Domestic offices-kitchens, bath-rooms, water-closets, etc.

109.-(1) Subject to these Regulations, comprised within each flat there shall be a bath-room, a water-closet, and a kitchen or alcove where food may be prepared. A kitchen sink shall be fixed, with trap and running water, and connected with a suitable sewerage system if available.

(2) In a residential fiat building where a room is provided for meals to be taken by all the tenants, or a kitchen is provided for the preparation of food for all the tenants a separate kitchen need not be provided for each flat if specific approval of the Council be obtained beforehand.

(3) In a flat containing not more than 4 habitable rooms the water-closet may be fixed in the bath-room; in a flat containing 5 or more habitable rooms in all, the water-closet shall be fixed in a separate compartment.

(4) The minimum width of one bath-room shall be 5 feet, and the minimum floor area 30 superficial feet, where the water-closet is in a separate compartment, but the size shall be increased by not less than 1 foot 6 inches in length or width where the water-closet is fixed in the bath-room. The minimum width of a water closet compartment shall be 2 feet 6 inches and the minimum floor area 15 superficial feet.

(5) The floor surfaces of bath-rooms on any floor and of laundries when above the ground floor shall be of impervious material (lead or concrete) properly graded and drained. The floor surfaces of water-closets shall be of impervious material properly graded to a suitable outlet.

Residential flats

110. Where it is intended to erect a residential flat building or to convert an existing building into such, and in a locality not accessible to a sewerage system, the site for such must be accessible to a solid soapstone surface drainage system discharging to the sea, to permit of the installation of an approved septic tank system and the discharge of the effluent therefrom:

Provided that this regulation shall not apply to the city of Lautoka.

(Amended by Regulations 9 November 1946.)

Bath-rooms and water-closets - height of

111. The height of a bath-room or of a water-closet shall be not less than 8 feet from floor to ceiling for at least one-half the area of the floor (or 7 feet 6 inches if the flushing cistern is placed above the ceiling, or if there is no overhead flushing cistern).

Cellar and basement

112.-(1) A cellar shall not be designed or adapted for occupation as a flat.

(2) A basement shall not be designed or adapted for occupation as a flat unless there is an excavation or natural opening at least 3 feet wide around the external walls in which there are doors or windows, and unless the bottom of such excavation is at least 6 inches lower than the level of the floor of the basement. There shall also be provided such concrete retaining walls and channel drains as may be required by the building surveyor for the purposes of supporting such excavation and rendering under and about the basement dry.

(Amended by Regulations 16 February 1938)

Fire-escapes

113. A residential flat building 2 storeys or over in height shall be provided with a fire-escape in addition to a main staircase:

Provided that if the building be of fire-resisting construction and provided with a second internal staircase it shall not be necessary to provide a fire-escape.

Water supply for fire extinction

114. In the design and erection of a residential flat building (of non-fire-resisting construction) of more than 3 storeys (exclusive of the cellar) there shall be provided adequate appliances and water supply for the extinction of fire.

Lighting and ventilation

115. Every domestic (residential flat) building shall be provided with sufficient open spaces to enable sufficient natural lighting and ventilation being given to all parts of such building, and to provide an external wall or walls for the fixing of sanitary fittings and appliances. The area of such open spaces shall, in the case of a building not exceeding 2 storeys, be not less than one percent of the superficial area of such building, and in the case of a building of more than 2 storeys, shall enlarge in the ratio of one-tenth of such area for every additional storey.

Courts, vent shafts, etc.

116. All courts, light areas, and vent shafts shall be paved with concrete or other impervious material, and properly graded to outlets connected with the surface water drainage system. Adequate means of access shall be provided to all enclosed courts and vent shafts.

Garbage

117. The owner of every residential flat building shall provide, within each flat, or conveniently accessible from each flat, means satisfactory to the Council for conveying garbage to a common receptacle, or separate and suitable receptacles for each flat for holding garbage until it is removed, together with places for such receptacles in the open air or in some closed-off closet or space so that such garbage shall be free from offence, and shall also provide means satisfactory to the Council whereby such receptacles may be removed without having to be conveyed through the main or front entrance of the building.

Yards

118.-(1) Every residential flat building except where erected over a commercial building shall have a yard at the rear open to the sky at every point, and unobstructed except that a fire-escape, bridge, or platform not exceeding 4 feet in width may extend over such yard from such building to a neighbouring building or to the ground.

(2) A building of only one storey in height may be erected on the same site as and as an appurtenance to a residential flat building, but shall not encroach on the unbuilt-upon area (hereinbefore provided for) to an extent greater than 10 per cent of such unbuilt-upon area: Provided that the unbuilt-upon area shall not in any case be reduced below one-third of the area of the allotment.

(3) All yard spaces and passage-ways shall be paved in concrete, asphalt or the like material and laid to ensure a proper fall to the drainage system of the flats:

Provided that -

(a) in external passage-ways at the sides of building and yards at rear, 40 per cent of such areas may be reserved for garden purposes as may be approved by the Council;

(b) such area so exempted is put to that use and maintained from time to time as a garden.
(Amended by Regulations 16 February 1938.)

Residential tenement dwelling

119.-(1) Where it is proposed to erect a residential tenement building or dwelling, such shall not be erected so as to be attached to any shop or building where food is prepared or distributed wholesale or retail.

(2) A building erected in concrete under these Regulations may have accommodation for tenants over such building, provided separate access is provided for such tenement portion; no connection with the shop proper will be permitted. Where it is proposed to erect a residential or tenement building on any land the provisions of Parts III and IV (where not inconsistent with this Part) shall apply, and the following special conditions be observed. A kitchen shall be erected and provided with a proper drawing chimney carried up 2 feet above the kitchen roof and to be supplied with a cowl.

Height of tenements

120. No wooden building of the residential tenement class shall be constructed so as to be more than 2 storeys in height.

(Inserted by Regulations 11 August 1942.)

Kitchens for tenements

121. One kitchen shall be provided for each 4 rooms in a tenement and each kitchen shall be provided with running water and an approved sink at least 30 inches above floor level and provided with an efficient discharge and a clear bench top at least 3 square feet in area properly dished and sloped.

(Inserted by Regulations 11 August 1942.)

Where waterborne sewerage not available

122. Where the sewerage system is not available it shall be competent for the Council to approve plans of buildings to be erected other than in the sewered areas, so long as the applicant can satisfy the Council that a septic tank of approved design can be installed and that the discharge of effluent can satisfactorily be disposed of.

(Inserted by Regulations 11 August 1942)

Bath-rooms and laundries for tenements

123. Bath-rooms shall be provided as required by regulation 81 and a laundry shall be provided

for each rooms and may be combined with a bath-room if with a minimum floor area of 56 square feet.

(Inserted by Regulations 11 August 1942.)

Yards at rear

124. The yards at the rear of tenements shall be concreted between the kitchen out-houses and the tenements proper, and such further yard spaces as may be directed by the building surveyor, and shall otherwise conform to Parts III and IV.

Overcrowding

125. Any room wholly or partly used as a sleeping apartment shall not be occupied at any one time by a greater number of persons than will allow 40 square feet of unobstructed floor space for each person exceeding 10 years of age and 30 square feet of unobstructed floor space for each person of less than 10 years of age, provided that if the average height of the room is less than 8 feet the floor space above specified shall be increased in the proportion of one-eighth for every foot or part of a foot by which the average height falls short of 8 feet. Any room occupied by a greater number of persons than will permit of the above allowances shall be deemed to be overcrowded.

(Amended by Regulations 16 February 1938.)

PART VI. - COMMERCIAL BUILDINGS, OFFICE BUILDINGS, SHOPS, STORES, WAREHOUSES AND BULK STORES, AND HOTELS, THEATRES (INCLUDING CINEMA SHOWS), PROFESSIONAL CHAMBERS AND THE LIKE

Application

126.-(1) This Part shall, in addition to Parts III and IV, apply to commercial buildings, and the provisions of this Part shall, where inconsistent with the provisions of Parts III and IV, to that extent replace those provisions in relation to commercial buildings. This Part shall apply to buildings within the Inner Areas as defined in Part VIII and Part IX and to all concrete buildings of this type wherever proposed to be erected within the cities of Suva and Lautoka.

(2) The regulations under Part V with respect to courts, light areas, vent shafts and sanitation shall apply to buildings of this class.

(Amended by Regulations 9 November 1946.)

Proportion of site which may be covered

127.-(1) In all towns save the city of Suva a commercial building which is not designed to be used as a dwelling in any part other than for a caretaker may, subject to the necessary provision for light, ventilation, access and fire-escapes, occupy the residue of the allotment on which it stands:

Provided that the Council may in special cases where windows or other openings are shown on the plans of the side-lines of commercial buildings demand the setting back from the side-lines of the windows or openings and a portion of the walls in which they are to be situated.

(2) This shall also apply to the ground floor of an hotel but not to the upper floors which must be

constructed according to the regulations governing flats and residential quarters above commercial buildings.

(3) In the city of Suva a commercial building may, subject to the necessary provision for light, ventilation, access and fire-escapes occupy the residue of the allotment upon which it stands:

Provided that the Council may, in special cases where windows or other openings are shown on the plans of the side-lines of commercial buildings; demand the setting back from the side-lines of the windows or openings and a portion of the walls in which they are to be situated, and provided further that the floor area of any storey of such a building used wholly or in part for residential purposes shall not exceed two-thirds of the area of the allotment and shall be erected according to the regulations governing flats and residential quarters above commercial buildings.

(4) Where any storey of a commercial building in the city of Suva is constructed as provided in paragraph (3) and occupies a lesser area of the allotment than the commercial building of which it forms part, the roof of the storey immediately below it shall be flat and constructed of concrete, asphalt or other suitable material to the satisfaction of the building surveyor and shall be available as yard space for the use of the occupants of the storey so used for residential purposes, and the said flat roof shall be protected all round by a parapet at least 3 feet 6 inches in height.

(Amended by Regulations 10 January 1946.)

Construction

128.-(1) All buildings in this class proposed to be erected in the Inner Areas as defined in Part VIII and Part IX and all buildings in this class in concrete, brick or stone proposed to be erected outside the Inner Areas shall be constructed according to the regulations covering reinforced concrete, brick or stone buildings.

(Amended by Regulations 9 November 1946.)

(2) All buildings in this class erected in the town shall be adequately ceiled unless specially exempted by the Council.

(3) Where commercial buildings are more than 2 storeys high every second floor above the ground floor shall be of fire-resisting concrete construction.

(4) The provisions of regulation 88 in regard to dimensions of rooms shall apply to buildings in this class.

(Amended by Regulations 16 February 1938; 9 November 1946.)

Strength of floors

129. The Council may require that there shall be displayed upon the wall of any room or rooms a permanent and legible notice stating the bearing capacity of the floor.

Lighting

130.-(1) No part of any floor of any office building, shop, factory or workroom shall be distant more than 30 feet from an unobstructed window fronting a road, right-of-way, open space, or

unobstructible light area or court, or 25 feet from a window fronting an enclosed light area or court, unless in the opinion of the building surveyor the size and disposition of the windows of the building are such that greater distance from such windows up to a maximum of 60 feet, is justifiable.

(2) No part of any floor of a warehouse building or bulk store shall be more than 60 feet from an unobstructed window facing a road, right-of-way, open space or unobstructible light area or court, or 50 feet from a window fronting an enclosed light area or court unless in the opinion of the building surveyor the size and disposition of the windows of the building are such that a greater distance from such windows, up to a maximum of 100 feet, is justifiable.

Fire-escape

131.-(1) A commercial building 3 storeys or more in height, not including the basement and cellar, shall be provided with a fire-escape.

(2) In a commercial building which is 3 storeys in height the Council may if the building be not so designed as in the Council's opinion to provide reasonable means of escape in case of fire, require that one or more fire-escapes be provided in similar proportion to the area of floors above the ground floor.

(3) Each fire-escape shall, subject to the special provisions of this regulation, comply with the general provisions of Part III, shall be so constructed as to be directly accessible from each floor which has not direct communication with the ground, shall be shut off by self-closing fire-proof or fire-resisting doors, which can be easily opened, and shall have automatic fastenings capable of being readily opened from the inside, and shall be so constructed that it shall not be necessary to pass the well or shaft of any staircase or unprotected lift-shaft to reach the fire-escape.

Theatres and public halls

132.-(1) Every new building begun to be erected as a theatre or stage play-house intended to be used as a building for public resort, after 27 March 1935, shall have external doors, corridors, passage-ways, and staircases for the use of the audience of the following dimensions:-

(a) the minimum width of free exit doorway (in the aggregate) shall be at least 18 inches for each 100 persons or fraction of 100 persons, that the building is capable of containing, the width in no case being less than 3 feet 6 inches. The width of staircase, internal corridors, or passage-ways from the different parts of the building shall be provided for in a similar manner. All passages shall open level on to the street so that the footpath is not encroached upon by steps.

(b) in all cases where a portion of the audience is to be accommodated over or at a higher level than others of the audience, a separate means of exit of the width above described and communicating directly with the street or right-of-way shall be provided from each floor or level.

(c) a clear passage or gangway of not less than 3 feet wide shall be reserved and kept clear during any performance round every part appropriated to the audience, except that

next to the place of performance. The stage shall have a separate exit. All external doors shall open outwards, or, if sliding doors be used, there shall also be patent swing-doors at a convenient distance within and the sliding doors shall be kept wide open during the time the public are using the building.

(2) Sufficient closet and urinal accommodation, drainage, ventilation and fire-extinguishing apparatus shall be provided in connection with all such buildings to the satisfaction of the Council. And all exit doors, passage-ways, staircases and corridors from different parts of buildings of this class now erected shall be altered in accordance with this regulation within three months of its coming into force.

PART VII - ENFORCEMENT

Inspection - cutting into building

133.-(1) The Council may order the inspection, opening, or cutting into, or pulling down of any work where the Council has reason to believe or suspect that anything has been done in contravention of these Regulations, and in the event of work being found to have been done in contravention of these Regulations, the person doing the work shall be required to comply with these Regulations, and shall bear the full cost of such pulling down, opening, or cutting into and of compliance with these Regulations.

(2) In the event of the work being found to have been done in accordance with the requirements of these Regulations, the cost of such pulling down, opening or cutting into, as well as the cost of reinstatement, shall be borne by the Council.

Inspection upon completion of building

134.-(1) Upon the completion of any building or portion thereof for the construction, alteration or repair of which a permit has been issued by the Council, the person to whom such permit has been issued or his authorised agent shall forthwith give written notice of such completion to the building surveyor.

(2) Upon receipt of such notice of completion, the building surveyor shall without delay inspect or cause to be inspected such building or portion thereof in order to determine, so far as superficial inspection may allow, whether or not the works have been carried out in accordance with the approved plans and specifications, or without material deviation therefrom, and whether such building or portion thereof otherwise conforms to the requirements of these Regulations.

(Substituted by Regulations 26 October 1965 (Suva) and 9 November 1965 (Lautoka).)

Certificate of completion

135.-(1) Upon being satisfied with the completion of any building or portion thereof, the building surveyor shall within 7 days prepare in duplicate a certificate of completion and shall issue the original of such certificate to the owner of the building.

(2) Such certificate shall state the purpose for which the building is to be used.

(3) Where in any building for which such certificate is issued it is proposed to carry on any

business or undertaking which is the subject of the provisions of the Public Health Act or any other Act for the time being in force, such certificate shall in no way relieve the owner or occupier of such building, before the commencement or recommencement of such business or undertaking therein, from the responsibility of complying with the provisions of such Acts in carrying out any necessary additional work or of obtaining from the Council, through its Health Officer or other duly authorised officer, the requisite certificate or registration or licence in respect of the operation of such business or undertaking.

(4) No person or persons shall use or occupy or be permitted to use or occupy any building or portion of a building unless a certificate of completion has been issued in respect thereof as hereinbefore provided:

Provided that with the prior approval in writing of the building surveyor a portion of the building may be occupied, pending the issue of such certificate of completion.

(Inserted by Regulations 26 October 1965 (Suva) and 9 November 1965 (Lautoka).)

Service of notice or order

136. Any notice or order by the Council or by the proper officer or the building surveyor pursuant to these Regulations shall be deemed to be properly given to any person if such notice or order is served personally on such person or his authorised representative or is sent by registered post to the place of residence or business of such person:

Provided that where the address of the place of residence or business of such person is not known the said notice or order shall be deemed to be properly given if affixed to the building or land to which such notice or order relates.

(Inserted by Regulations 26 October 1965 (Suva) and 9 November 1965 (Lautoka).)

Penalties

137.-(1) Any person who erects a building in contravention of these Regulations shall be liable to a fine not exceeding \$100 and also a daily fine not exceeding \$10 per day for any continuation of the offence.

(2) Any person who neglects to comply with any provision of these Regulations, shall, where a penalty is not elsewhere prescribed, be liable to a fine not exceeding \$10 for a first offence or \$20 for a second and any subsequent offence; and also in either case a daily fine not exceeding \$1 per day for any continuance of the offence.

Defence

138. In any prosecution for the breach of any of these Regulations it shall be a good defence if the defendant proves that he was unable to comply with the requirements of such regulation by reason of circumstances attributable to any war in which Her Majesty may be engaged.

(Inserted by Regulations 11 August 1942.)

PART VIII - INNER AREA

Inner Area

139. In this Part of the Regulations the expression "Inner Area" means that part of the city of Suva which is bounded on the west by the sea, on the north by Nubukalou Creek, on the south by MacArthur Street, and on the east by Butt and Murray Streets; thence, as delineated and coloured green upon a plan signed by the Commissioner of Lands dated the twelfth day of December, one thousand nine hundred and eleven, and deposited in the Registrar-General's office, from the north end of Murray Street to Ellery Street, and thence to Nubukalou Creek; together with the following additional areas, that is to say:-

(a) commencing at the most westerly corner of a portion of land containing 2 acres 3 roods 38 perches (Certificate of Title 1347) on the right bank of Nubukalou Creek; thence by the north boundary of the said portion bearing 85 degrees 27 minutes 265.4 links; thence by the north boundary of portion containing 2 acres 1 rood 16 perches (Certificate of Title 4373) bearing 39 degrees 20 minutes 191.7 links, 141 degrees 0 minutes 66.3 links, and 51 degrees 0 minutes 60 links; thence by part of the western boundary of portion containing 4 acres 0 roods 25 perches (Certificate of Title 3115) and the western boundary of portion containing 1 acre 0 roods 17.5 perches (Certificate of Title 3114) bearing 9 degrees 57 minutes 55 links and 24 degrees 7 minutes 382.2 links to Toorak Road; thence by Toorak Road to Waimanu Road; thence by a line parallel to and 90 feet distant from the north side of Marks Street to Stewart Street; thence by Stewart Street to Nina Street and by Nina Street and Robertson Road to Struan Street; thence by Struan Street and the prolongation of the west side of the said street to the south-east corner of Lot No. 3, Section J, and thence by the east boundary of the said lot to its north-east corner; thence by the north boundary of Section J to Rodwell Road, and by the said road to May Street; thence by May Street and Harris Road to Renown Street; thence by Renown Street to the lane-way dividing Section 81, and thence by said lane-way dividing Sections Nos. 81 and 78 and its prolongation to the Prince's Landing Stage; thence by the right bank of Nubukalou Creek upwards to the point of commencement;

(b) all that portion of the city of Suva which is bounded on the north by Macarthur Street and its prolongation westerly to high-water mark; thence on the west by high-water mark southerly to meet the prolongation westward of Cakobau Road; thence on the south by such westerly prolongation of Cakobau Road and Victoria Parade to the southern boundary of Section XXIX; thence by the southern boundary of such section to Carnarvon Street and thence by Carnarvon Street northwards to Macarthur Street.

Reclaimed area

140. Any area reclaimed from the sea abutting on or facing the Inner Area shall be deemed part of such area.

Removal

141.-(1) It shall be lawful for the Council by notice in that behalf to order the removal within 6 months from the date of service of such notice of any buildings of any description which have been erected during the exempted period, that is, from 13 June 1923 to 13 June 1929, on the areas described in paragraphs (2) and (3), not being buildings conforming to regulation 142 in so far as these Regulations refer to the Inner Area.

(Amended by Regulations 16 February 1938.)

(2) Commencing at a point in Greig Street being the north-east corner of portion containing 2 roods 35.5 perches (Certificate of Title 2642); thence by the south-east and south boundaries of said portion bearing 220 degrees 3 minutes 329 links and 276 degrees 16 minutes 203 links respectively to Ellery Street; thence by Ellery Street bearing 321 degrees 19 minutes 367.1 links; thence by lines on the following bearings and distances to Greig Street, i.e., 51 degrees 19 minutes 106.1 links, 141 degrees 19 minutes 18.9 links, 47 degrees 34 minutes 109.3 links, 109 degrees 58 minutes 96.5 links, 127 degrees 5 minutes 91 links, 36 degrees 43 minutes 120.6 links to Greig Street; thence by Greig Street bearing 126 degrees 43 minutes 296.6 links to the point of commencement.

(3) Commencing at the intersection of Scott Street with the left bank of Nubukalou Creek; thence by Scott Street to the south-western corner of the Telephone Exchange; thence by a line running west to the sea; thence by the sea and the left bank of Nubukalou Creek to the point of commencement.

Service of notice

142. The notice mentioned in regulation 141 shall be served by delivering the same to the owner of the land on which such building is erected, or by delivering the same or a copy thereof to a person in such building, or by fixing the same upon some conspicuous part of such building.

Failure to comply with notice

143. If the owner fails or neglects to comply with such notice the Council may by its agents enter on such land and effect such removal at the expense in all things of the owner, and upon the production to the Registrar of Titles of a certificate in duplicate, signed by the Mayor, of the amount expended on the removal aforesaid, such amount together with interest thereon at the rate of 6 per cent per annum shall form a charge on the said land, and the Registrar of Titles shall thereupon register such charge as a mortgage in favour of the Council under the provisions of the Land Transfer Act. In case default be made in payment of the principal sum or any instalment of principal or of interest due and payable in respect of such removal as aforesaid, the Council may exercise all or any of the powers of a mortgagee under the aforesaid Land Transfer Act. (*Cap. 131.*)

(Amended by Regulations 16 February 1938.)

Walls in Inner Area

144.-(1) No person shall erect, alter, add to, renew or repair within the Inner Area, the external walls, party-walls or fire-places of any building with metal, wood or other combustible material except the inner lining of external walls.

(Amended by Regulations 16 February 1938.)

(2) No person shall within the Inner Area construct or erect an inner wall or partitions of any building other than a building to be used exclusively as a private residence of any other materials than brick, stone or reinforced concrete:

Provided that the building surveyor may, subject to such conditions as he considers necessary, permit partitions in wood, metal, lathing and plaster, or wood and glass.

(Amended by Legal Notice 151 of 1980.)

(3) Notwithstanding anything to the contrary contained in this Part repairs to the external walls of a building covered with wood or iron may be made from material of the same description as the material used in such external walls subject to the following qualifications:-

(a) such repairs shall not exceed one-half of the superficial area in any one wall;

(b) such repairs shall be confined to the inner and outer linings and shall not be deemed to include the studding or plates;

(c) such repairs shall not be so effected unless the studding and plates are in the opinion of the building surveyor in a satisfactory state of preservation:

Provided that in the case of damage done by fire to any building erected in the Inner Area the external walls of which were lawfully constructed of wood or iron, if the damage done by the fire is so extensive that the building should not, in the opinion of the building surveyor, be repaired in wood or iron, then the whole of the external and party walls thereof shall be constructed and the reinstatement of the building be made generally in accordance with the other provisions of this Part.

(4) Notwithstanding anything to the contrary in this Part the Council may by resolution permit the repair of a wooden wall by the erection of a concrete jack wall with hardwood plate affixed. *(Inserted by Regulations 16 February 1938.)*

(5) No person shall erect or repair within the Inner Area any chimney with metal or any combustible material:

Provided that -

(a) the Board may on special application permit the use of metal of sufficient thickness to resist fire;

(b) chimneys may be repaired or renewed with sound material of the same description as the material used in their construction.

(Inserted by Regulations 16 February 1938.)

Wooden ground floors in parts of Suva

145. No repairs shall be effected to wooden ground floors in buildings in the City of Suva fronting Victoria Parade, Pier Street, Renwick Road, Thomson Street, and Margaret Street. The ground level beneath such floor may be raised with consolidated filling and a 4 inch concrete floor laid thereon. Where it is proposed to construct a cellar such floor shall be constructed of reinforced concrete. Wooden floors may be laid on concrete floors and repairs later effected thereto. *(Inserted by Regulations 16 February 1938; amended by Regulations 29 March 1944.)*

PART IX - INNER AREA OF LAUTOKA

Definition of "Inner Area"

146. In this Part, the expression "Inner Area" means that part of the city of Lautoka bounded by a line commencing at the north-western corner of Lot 1 of Section 1, city of Lautoka, at the intersection of the eastern side of Tui Street and the southern side of Naviti Street; thence easterly following the southern side of Naviti Street; thence easterly following the southern side of Naviti Street along the northern boundary of Section 1 to the north-western corner of Lot 4, Section 2; thence crossing Naviti Street to the south-western corner of Lot 1 Section 7 on the southern side of Tukani Street; thence following the southern side of Tukani Street to the intersection with the western side of Vidilo Street; thence in a southerly direction following the western side of Vidilo Street to a point bearing 280 degrees 05 minutes and distant 100 links from the north-western corner of Lot 11, Section 8; thence easterly to the north-west corner of Lot 11, Section 8 and following the southern side of an un-named laneway along the northern boundaries of Lots 11-20, Section 8 to its intersection with the western side of Vakabale Street; thence southerly following the western side of Vakabale Street, and crossing Naviti Street to the north-eastern corner of Lot 10, Section 3 on the southern side of Naviti Street; thence easterly following the southern side of Naviti Street crossing Vakabale Street and continuing along the northern boundary of Section 5 to its intersection with the western side of Yasawa Street; thence in a southerly direction following the western side of Yasawa Street to the southern side of Loma Lane and being the north-eastern corner of Lot 9, Section 5; thence in an easterly direction crossing Yasawa Street and following the northern boundary of Lots 17, 16, 15, 14, and 13, Section 14 to the western boundary of Namoli Avenue and crossing Namoli Avenue to the western corner of Lot 15, Section 15 on the eastern side of Namoli Avenue; thence in a northerly direction following the eastern side of Namoli Avenue to its intersection with the south side of Ravouvou Street; thence easterly following the southern side of Ravouvou Street to the north-eastern corner of Lot 23, Section 15; thence southerly following the eastern boundaries of Lots 23, 22, 21, 20, 19, 18, 17, 16 and 15 of Section 15 to the northern boundary of Lot 13, Section 15; thence easterly following the northern boundaries of Lots 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2 and 1 of Section 15 to the western side of Nava Street and crossing Nava Street to the north-western corner of Lot 1, Section 16; thence northerly following the eastern side of Nava Street crossing Nasoki Street and Ravouvou Street and continuing to the north-western corner of Lot 1, Section 32; thence easterly following the northern boundaries of Lots 1 to 11, Section 32 to the north-eastern corner of Lot 11, Section 32; thence southerly following the eastern boundary of Lot 11, Section 32 and crossing Ravouvou Street to the north-western corner of Lot 12, Section 31; thence easterly and southerly following the northern and eastern boundaries of Section 31 to the northern side of Nasoki Street; thence crossing Nasoki Street and following the eastern boundary of Section 16 to the northern side of Vitogo Parade; thence westerly following the northern side of Vitogo Parade and crossing Nava Street, Namoli Avenue, Yasawa Street, Vakabale Street, Vidilo Street and Nede Street to the eastern side of Tui Street at the south-western corner of Lot 11, Section 1; thence northerly and following the eastern side of Tui Street to its intersection with the southern side of Naviti Street at the north-western corner of Lot 1, Section 1, City of Lautoka, the point of commencement.

(Substituted by Regulations 3 October 1955.)

Building, etc., within Inner Area

147.-(1) No person shall erect, alter, add to, renew or repair within the Inner Area, the external walls, party walls or chimneys of any building with metal, wood or other combustible material

except the inner lining of external walls.

(2) No person shall within the Inner Area construct or erect an inner wall or partitions of any building other than a building to be used exclusively as a private residence of any other material than brick, stone or reinforced concrete:

Provided that in special cases and by resolution the Council may permit partitions in wood, metal, lathing and plaster, or wood and glass.

(3) Notwithstanding anything to the contrary contained in this Part, repairs to the external walls of a building covered with wood or iron may be made from material of the same description as the material used in such external walls subject to the following qualifications:-

(a) such repairs shall not exceed one-half of the superficial area in any one wall;

(b) such repairs shall be confined to the inner and outer linings and shall not be deemed to include the studding or plates;

(c) such repairs shall not be so effected unless the studding and plates are in the opinion of the building surveyor in a satisfactory state of preservation:

Provided that in the case of damage done by fire to any building erected in the Inner Area the external walls of which were lawfully constructed of wood or iron, if the damage done by the fire is so extensive that the building should not, in the opinion of the building surveyor, be repaired in wood or iron, then the whole of the external and party walls thereof shall be constructed and the reinstatement of the building be made generally in accordance with the other provisions of this Part.

(4) Notwithstanding anything to the contrary in this Part the Council may by resolution permit the repair of a wooden wall by the erection of a concrete jack wall with hardwood plate affixed.

(5) No person shall erect or repair within the Inner Area any chimney with metal or any combustible material:

Provided that -

(a) the Council may on special application permit the use of metal of sufficient thickness to resist fire;

(b) chimneys may be repaired or renewed with sound material of the same description as the material used in their construction.

(6) This Regulation shall not apply to buildings of steel frame design with walls of corrugated and panel metal sheeting or asbestos cement sheeting on allotments 16 to 29 inclusive of section 16, section 31 and section 32 in the city of Lautoka.

(Inserted by Regulations 9 November 1946; amended by Regulations 29 April 1957.)

Wooden ground floors

148. No repairs shall be effected to wooden ground floors in buildings within the inner Area of the city of Lautoka. The ground level beneath such floor may be raised with consolidated filling and a 4 inch concrete floor laid thereon. Where it is proposed to construct a cellar such floor shall be constructed of reinforced concrete. Wooden floors may be laid on concrete floors and repairs later effected thereto.

(Regulation 145 as amended by Regulations 29 April 1957 for Lautoka transferred to this Part.)

FIRST SCHEDULE

(Regulation 4)

(Amended by Regulations 16 February 1938; 29 March 1944; 13 January 1950.)

APPLICATION FOR PERMISSION TO BUILD

Application for approval of plans and specifications hereby submitted in respect of the building hereunder described.

Name of Owner: Address:
Name of Builder: Address:
Location of proposed building: - Street Section
Lot Certificate of Title No.:
Class of building (house, shop, or other building) to
be built of
Number and particulars of rooms and offices:
Value of building: \$
Proposed source of water supply:
State here whether the materials to be used are new or secondhand:
Building fee: Receipt No.: Date:
Sewerage fee: Receipt No.: Date:

A complete block plan showing size of allotment and proportion of same to be occupied by proposed building is shown on the back of this Application Form.

I declare that to the best of my knowledge and belief the foregoing particulars are correct in every detail, and that if this application is approved the building will be erected in strict conformity with the plan and specification submitted and in accordance with the regulations and requirements of the Council.

Signature of Applicant

Report on application:

Building Surveyor

This form must be filled in strictly in accordance with the requirements thereof.

BLOCK PLAN

Showing ground plan of building and position thereof, and proposed drainage scheme.

Scale

The land measurement must be shown on block plan as well as dimensions of buildings.

EXTRACT OF SPECIFICATION

Of sizes and dimensions of material proposed to be used in the construction of a for in Street, in the town of

MATERIALS

New or Second-hand

(If second-hand material is to be used the material must be inspected by the Engineer.)

Plates - Ground	Top	Foundations:
Floor joists:		Dampcourse:
Floors:		Outside walls:
Bearers:		Partitions:
Studs:		Ceilings:
Rails:		Doors:
Ceiling joists:		Windows:
Rafters:		Ventilation:
Collar ties:		Mouldings:
Struts and purlins:		Roof covered with:
Valleys and ridges:		Ridge:
Braces:		Gutter:
Fascia:		Downpipes:
Barge boards:		Drainage:
	<i>Verandahs (if wood floor)</i>	
Joists:		Plates:
Bearers:		Roof:
Floor:		Piers or walls:
Posts:		

Every person who erects a building shall provide that -

(a) the area of the floor of any habitable room in such building not being a kitchen shall not be less than 84 square feet per habitable room;

(b) a habitable room not being a kitchen shall not in any case have a cubic space of less than 840 cubic feet.

All floor joists to be at least 4 x 2 inches and not less than 12 inches clear of the ground and spaced at not more than 2 feet centres.

All rafters to be at least 4 x 2 inches and spaced not more than 18 inch centres, for slates or tiles and not more than 3 feet centres for iron.

All studs and ceiling joists to be at least 4 x 2 inches, spaced at not more than 3 feet centres.

All bottom plates and bearers shall be at least 4 x 3 inch hardwood.

Top plates shall be at least 4 x 3 inches.

Corner studs shall be at least 4 x 4 inches.

Roof purlins shall be at least 3 x 2 inches, spaced at 2 feet 6 inch centres.

Wall and roof braces shall be at least 6 x 1 inches.

Two ventilators to be fixed in all rooms, within 14 inches of ceiling, having access to the outside air. Additional ventilation to be provided in bedrooms.

All roof water to be conveyed to a street gutter. All waste water from baths, tubs, and sinks to be taken to a sewerage system or approved discharge.

REMARKS

SECOND SCHEDULE (Regulations 68, 72 and 73)

FORMULAE FOR REINFORCED CONCRETE CONSTRUCTION

SIMPLE BEAMS

Notation

fs	=	Unit fibre stress in steel.
fc	=	Unit compression stress in concrete
n	=	Modular ratio $E_s = \frac{E_c}{15}$
M _s	=	Resisting moment determined by steel.
M _c	=	Resisting moment determined by concrete.
M	=	Bending moment, or resisting moment generally.
b	=	Width of reacting beam.
d	=	Distance from compressive fact to plane of steel.
K	=	Ratio of depth of neutral axis from top of section to d.
j	=	Ration of arm of resisting couple to d.
A or A _s	=	Area of cross-section of steel.

$$P = \text{Steel ratio} = \frac{\quad}{bd}$$

RECTANGULAR BEAMS

$$M_s = f_s P j b d^2$$

$$M_c = \frac{1}{2} f_c K j b d^2$$

The following allowable stresses may be adopted

$$f_s = 16,000$$

$$f_c = 600$$

BENDING MOMENTS

Single span	M	=	---
			8
			WL
End span	M	=	---
			10
			WL
Centre span	M	=	---
			12

BOND ADHESION

fb = Bond strength between concrete and steel = allowable 80 lb. per square inch.

O = Total circumference of steel

Then fb x O = $\frac{V}{jd}$

BOND OF STIRRUPS

i = Diameter of stirrup.

A = Area of cross-section of stirrup.

O = Circumference of stirrup.

Then i = $2.4d \frac{fb}{fs}$

SPACING OF STIRRUPS

V = Total shear.

V¹ = Allowable unit shear stress in concrete = 40.

s = Spacing of stirrups.

Then s = $\frac{A_s f_s j d}{V - (V^1 b j d)}$ Or s = 3 $\frac{A_s f_s j d}{2 V}$

TEE BEAMS

b = Flange width.
 b^1 = Width of stem or web.
 t = Thickness of slab or flange.
 x = Distance of resultant compression from top of slab.
 A
 P = $\frac{bd}{2}$
 Then $M_s = f_s A (d - x)$
 $M_c = \frac{f_c (1 - \frac{t}{2kd})}{2kd} bt, jd.$

SPACING OF STIRRUPS (TEE BEAMS)

$$S = \frac{A_s f_s j d}{V - (V^1 b^1 j d)}$$

COLUMNS

A = Total cross-section.
 A_c = Total cross-section - concrete.
 A_s = Total cross-section - steel.
 $p = \frac{A_s}{A}$ = Steel ratio
 p = Total load sustained by column.
 p^1 = Total load sustained by plain concrete.
 $f = \frac{P}{A}$ = Allowable pressure over whole section =
 Then $P = f_c A [1 + (n - 1)p].$

LONG COLUMNS

K = Radius of gyration.
 c = Constant for material rigidity = 8,000 (allowed).
 $K = \frac{IE}{AE}$
 Where IE = Effective moment of inertia.
 AE = Effective area of cross-section.
 Then $f = \frac{f_c}{\dots}$

$$\frac{l^2}{1 + cK^2}$$

SITE BEARING CAPACITIES

Where the sustaining power of the soil has not been tested, a building shall not be erected such that its pressure upon the ground exceeds at any point the following:

	<i>Pressure in tons per sq. ft</i>
Sand soapstone	8
Natural compact gavel	6
Hard clay or compact earth	4
Confined clay or confined sand or mixed clay and sand or ordinary soil	2
Soft clay or wet or loose sand or reclaimed ground	1

DATA TO BE USED FOR THE PURPOSES OF THESE REGULATIONS

FLOOR AND ROOF LOADS

1. The dead load of a building shall consist of the actual weight of walls, floors, stairs, landings, roofs, and all other permanent construction comprised in such building.
2. The superimposed load in respect of a building shall consist of all loads other than the dead load.
3. In calculating the loads on foundations, pillars, piers, walls, framework, beams and other constructions carrying loads in buildings the superimposed load shall be estimated as equivalent to the dead load set forth in the regulations following.
4. The live load to be allowed for in connection with floors of various classes of buildings, in addition to the weight of the materials of which the floor is composed, shall be as follows:-

Equivalent dead load in lb.per sq. ft.

For a floor intended to be used for the purpose of -	
Dwelling-house	60
Office buildings and hotels	70
Schools and classrooms	100

Shops, theatres, lecture halls and churches	112
Gymnasia, drill-rooms, ball-rooms and light goods warehouses	150
Heavy goods warehouses, not less than and as many more as may be necessary	224
Factories and workshops, not less than and as many more as may be necessary	100

5. For stairs and landings the superimposed load shall be estimated as equivalent to a distributed dead load of at least 120 lb. per square foot, but each step shall be capable of safely supporting a concentrated load at any point of not less than 300 lb.

6. Pitched roofs shall be constructed to support with safety a horizontal pressure of 40 lb. per square foot exclusive of their own weight. All flat roofs shall be of sufficient strength to carry safely in addition to their own weight, the loading to which they may be subject, but in no case shall such loading be taken at less than 50 lb. per square foot. No portion of a roof shall be used for storage purposes without the consent of the building surveyor.

7. In the case of any floor or roof intended to be used for a purpose for which a superimposed load is not specified in these Regulations, the superimposed load to be carried on such floor or roof shall be provided for with an equivalent margin of safety.

8. In cases where a rolling load actuated by mechanical power is to be provided for, such rolling load shall be taken as equivalent to a static load 50 per cent in excess of the actual rolling load. The positive and negative bending movement at every cross-section due to every position of the rolling load shall be properly provided for.

9. Partitions and other structures superimposed on floors and roofs may be included in the superimposed load, provided the weight of the partition or other structure per square foot of base does not exceed the permissible load per square foot of floor or roof area.

Partitions and other structures of greater weight shall be specially provided for.

10. For calculating the resistance moment, the angle of dispersion of a point load through hard filling and concrete shall not be taken at more than 45 degrees from the vertical.

11. All buildings shall be designed so as to resist safely a horizontal pressure equivalent to a static pressure of not less than 40 lb. per square foot of the whole projected surface normal to the direction of every wind.

WORKING LOAD

12. The working load shall include the superimposed load, and the dead load inclusive of the weight of the beams, slabs, pillars or other members, and any plastering, tiles or other similar finishing materials.

WEIGHT

13. For the purpose of calculation, the average weight of reinforced concrete, together with any finishing materials as aforesaid shall be taken at not less than 150 lb. per cubic foot measured over finished surfaces.

**TOWNS (BUILDING) REGULATIONS (MODIFICATION - LAUTOKA)
BY-LAWS**

TABLE OF PROVISIONS

BY-LAW

- 1. Short title
- 2. Substitution of regulation 6 (Design calculations may be demanded)
- 3. Substitution of regulation 11 (Fees payable)

Local Government Notice No. 5 of 1972

Short title

1. These By-laws may be cited as the Towns (Building) Regulations (Modification -Lautoka) By-laws*.

Substitution of Regulation 6

2. Regulation 6 of the Towns (Building) Regulations, hereinafter referred to as the principal Regulations, is revoked and replaced with the following:-

"Design calculations may be demanded

6. The Building Surveyor may demand that a copy of the designer's structural calculations be submitted with the drawings, specifications and other documents lodged with the application for a building permit."

Substitution of regulation 11

3. Regulation 11 of the principal Regulations is revoked and replaced with the following:-

"Fees payable

11.-(1) The person making application for the approval of plans and specification shall lodge therewith a permit fee which shall cover the cost of examination of drawings and specification and other documents and inspections of works during erection and up to the time of completion. Such permit fee shall be determined from the following scale:-

Value of Work as determined by the Building Surveyor -

	\$		\$	<i>Fee</i>
Not exceeding \$20				\$ 0.50
Over	20	but not exceeding	50	1.00

"	50	"	"	"	200	1.50
"	200	"	"	"	400	2.00
"	400	"	"	"	600	3.00
"	600	"	"	"	800	4.00
"	800	"	"	"	1,200	5.00
"	1,200	"	"	"	1,600	6.00
"	1,600	"	"	"	2,000	8.00
"	2,000	"	"	"	2,400	10.00
"	2,400	"	"	"	3,000	13.00
"	3,000	"	"	"	4,000	16.00
"	4,000	"	"	"	6,000	20.00
"	6,000	"	"	"	8,000	24.00
"	8,000	"	"	"	10,000	28.00
"	10,000	"	"	"	15,000	34.00
"	15,000	"	"	"	20,000	40.00
"	20,000	\$40 plus \$1 every \$1,000 value in excess of \$20,000.				

(2) Where a permit lapses under paragraph (2) of regulation 12 of these Regulations and a renewal is required, a fee of 50 cents shall be payable.

(3) The fee payable for the examination of preliminary plans and specifications of any building shall be \$2.00.

(4) In every case where, in the opinion of the Building Surveyor, damage or injury to a street may or could be caused by building operations, a deposit of \$100.00 shall be paid with the building permit fee. Such deposit shall be refunded in full when the certificate of completion for the building is issued, provided all damage and injury caused to the street (if any) has been repaired to the satisfaction of the Town Engineer.

(5) The following inspection fees shall be payable:-

(a) for any inspection required in the case of proposed structural alterations before drawings and other documents are submitted for approval, the fee shall be \$2.00;

(b) for inspecting old or second-hand building materials before re-using same in a new building, the fee shall be \$2.00."

**TOWNS (BUILDING) REGULATIONS (MODIFICATION - SUVA)
BY-LAWS**

TABLE OF PROVISIONS

BY-LAW

1. Short title
2. Amendment of Regulation 3 (Interpretation)
3. Substitution of Regulation 6 (Design calculations may be demanded)
4. Substitution of Regulation 11 (Fees payable)
5. Revocation of Regulation 25 (Minimum value of buildings)
6. Insertion of regulations -
 - 25A. Methods of design
 - 25B. Horizontal forces
 - 25C. Buildings to be tied
 - 25D. Foundations to be interconnected
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- 25FF. Wind loads
- 25GG. Pressure coefficients

25HH. Local effect of wind

7. Revocation of regulation 139 (Definition of Inner Area)
8. Amendment of Second Schedule (Formulae for Reinforced Concrete Construction)
9. Insertion of Third Schedule -
 - Table 1 - Live Loads
 - Table 2 - Reduction of Live Loads
 - Table 3 - Seismic Coefficients for Parts of Buildings
 - Table 4 - Basic Seismic Coefficient "C" for Buildings and Other Structures
 - Table 5 - Minimum Wind Pressure
 - Table 6 - Wind Loads

Local Government Notices Nos. 4 and 5 of 1969

Short title

1. These By-laws may be cited as the Towns (Building) Regulations (Modification - Suva) By-laws*.

Amendment of regulation 3

2. Regulation 3 of the Towns (Building) Regulations (hereinafter referred to as the principal Regulations) is amended by inserting the following definitions in their correct alphabetical positions:-

"box system" means a structural system without a complete vertical load-carrying space frame being a system in which the required lateral forces are resisted by shear walls as hereinafter defined;

"building", whether temporary or permanent, movable or immovable, in addition to its ordinary and usual meaning shall include the following:-

(a) any structure or erection enclosed or partly enclosed within walls or supported on columns whether it has a roof thereto or not,

(b) any grandstand or structure or erection in which sitting or standing accommodation is provided, whether such grandstand, structure or erection be enclosed or not;

(c) any retaining wall which either exceeds a height of 4 feet from the lowest ground level adjoining or is within 10 feet of the boundary of a street or public place;

(d) any wall (not being a framework supporting mesh or wire or netting or similar open material) -

(i) which is of concrete or masonry and of a height exceeding 6 feet from the lowest ground level adjoining; or

(ii) which is of any other material and of a height exceeding 8 feet from the lowest ground level adjoining;

(e) any tank, including its supporting structure -

(i) which has a capacity of not less than 5,000 gallons; or

(ii) which, having a capacity of 400 gallons or more, is supported at a height of more than 6 feet from the base of its structure; or

(iii) which is supported at a height of more than 12 feet from the base of its supporting structure;

(f) any part of a building as defined above including any construction for the permanent support or partial support of a building when such construction is erected or placed in position on the site as an independent stage in the erection of a building;

"diaphragm" means a horizontal member composed of a web (such as floor or roof slab) with adequate flanges, or a horizontal truss which distributes horizontal forces to the vertical resisting elements;

"inner area" includes all land zoned for commercial or industrial purposes;

"masonry" means any construction in units of burnt clay, concrete or stone or other approved materials laid to a bond in and joined together with mortar;

"overturning moment" means the moment on the structure or part of the structure as a whole at any given level, due either to wind or earthquake lateral forces;

"set-back" means any offset horizontally in the plane of an exterior wall of a structure;
"shear wall" means a wall designed to resist lateral forces parallel to the wall and includes frames subjected primarily to axial stresses;

"space frame" means a three-dimensional structural system composed of interconnected members, other than bearing walls, laterally supported so as to function as a complete self-contained unit with or without the aid of horizontal diaphragms or floor bracing systems;

"space frame-moment resisting" means a vertical load carrying space frame in which the members and joints are capable of resisting design lateral forces by bending moments;

"space frame-ductile moment resisting" means a space frame-moment resisting of structural steel complying with British Standard 449 with moment-resisting connections or a space frame-moment resisting of reinforced concrete complying with American Concrete Institute Standard 318-63 and the British or the American standard referred to

in this definition shall mean the latest current issue of the number quoted or the latest revised standard on the subject;

"space frame-vertical load carrying" means a space frame designed to carry all vertical loads;

"unreinforced masonry" means masonry which contains less than 0.002 times its volume of reinforcing steel.

Substitution of Regulation 6

3. Regulation 6 of the Towns (Building) Regulations, hereinafter referred to as the principal Regulations, is revoked and replaced as follows:-

"Design calculations may be demanded"

6. The Building Surveyor may demand that a copy of the designer's structural calculations be submitted with the drawings, specifications and other documents lodged for a building permit."

(Added by Local Government Notice 5 of 1969.)

Substitution of Regulation 11

4. Regulation 11 of the principal Regulations is revoked and replaced as follows:

Fees payable

11.-(1) The person making application for the approval of plans and specifications shall lodge therewith a permit fee which shall cover the cost of examination of drawings and specifications and other documents and inspections of works during erection and up to the time of completion. Such permit fee shall be determined from the following scale:-

				<i>Fee</i>	
				\$	c
Not exceeding \$20.....			..	0	50
Over	\$20	but not	Exceeding	\$50	1 00
"	\$50	"		\$200	1 50
"	\$200	"		\$400	2 00
"	\$400			\$600	3 00
"	\$600			\$800	4 00
"	\$800			\$1,200	5 00
"	\$1,200			\$1,600	6 00
"	\$1,600			\$2,000	8 00
"	\$2,000			\$2,400	10 00
"	\$2,400			\$3,000	13 00
"	\$3,000			\$4,000	16 00
"	\$4,000			\$6,000	20 00
"	\$6,000			\$8,000	24 00
"	\$8,000			\$10,000	28 00

"	\$10,000	\$15,000	34	00
"	\$15,000	\$20,000	40	00
			40.00 plus \$1 for every \$1,000 value in excess of \$20,000.	
"	\$20,000			

(2) Where a permit lapses under paragraph (2) of regulation 12 of these Regulations and a renewal is required, a fee of 50 cents shall be payable.

(3) The fee payable for the examination of preliminary plans and specifications of any building shall be \$2.00.

(4) In every case where, in the opinion of the building surveyor, damage or injury to a street may or could be caused by building operations, a deposit of \$10.00 shall be paid with the building permit fee. Such deposit shall be refunded in full when the certificate of completion for the building is issued, provided all damage and injury caused to the street (if any) has been repaired to the satisfaction of the City Engineer.

(5) The following inspection fees shall be payable:-

(a) For any inspection required in the case of proposed structural alterations before drawings and other documents are submitted for approval, the fee shall be \$2.00;

(b) For inspecting old or second-hand building materials before re-using same in a new building, the fee shall be \$2.00."

(Added by Local Government Notice 5 of 1969.)

Revocation of regulation 25

5. Regulation 25 of the principal Regulations is hereby revoked.

(Added by Local Government Notice 5 of 1969.)

Insertion of regulations 25A to 23HH

6. The Principal Regulations are amended by inserting the following regulations immediately after regulation 25:-

Methods of design

25A.-(1) All buildings and parts of buildings shall be designed in accordance with these Regulations and wherever possible with methods of design which will admit of a rational analysis in accordance with the established principles of mechanics and of structural design.

(2) Elements not capable of rational design shall not be considered as contributing to the basic load resisting structure of a building but the effect of the design loads on them shall be assessed and allowed for both in their design and in the design of the building as a whole.

(3) Elements, such as partitions, or panels, assumed as not contributing to the basic load resisting

structure shall have the effect of the design loads on them assessed and allowed for both in their design and in the design of the building as a whole.

Horizontal forces

25B.-(1) The total horizontal force at any level imposed by wind or earthquake loads shall be considered to be resisted by the various resisting elements in proportion to their rigidities considering the rigidity of the horizontal bracing systems or diaphragms as well as the rigidities of the vertical resisting elements.

(2) To such a degree as the purpose and design of the building permits, and particularly for tall buildings, the main resisting system shall be located symmetrically about the centre of mass of the building.

Buildings to be tied

25C.-(1) All parts of a building, unless specifically designed to act otherwise, shall be tied and interconnected by adequate fixings or integral construction, designed to resist wind or earthquake loads.

(2) Parts of a building likely to damage or shatter under earthquake loads shall be tied, secured or safeguarded so as to minimise danger to life.

Foundations to be interconnected

25D. Individual foundations of a building shall be interconnected by members which can carry in two directions at right angles in tension or compression, and in addition to any other loading effects, a horizontal force equal to 10 per cent of the maximum vertical load on the foundation under seismic conditions, or shall be restrained by other adequate means against differential lateral movement:

Provided that the building surveyor may vary the requirements of this regulation in case of-

(a) any single storey building; or

(b) any 2 storey building whose foundations are in virgin soapstone.

Building separation

25E.-(1) Provision shall be made for the relative movement due to lateral forces on buildings or parts of buildings not designed and constructed to be tied and interconnected.

(2) Each building not so designed in relation to its neighbour shall have a minimum clear space from the property boundary, other than that adjoining a public space, either of 3 times its computed deflection due to lateral force or of ¼ inch for each 10 feet of height, whichever is larger, and in any case not less than ½ inch.

(3) Parts of buildings, or buildings on the same site, not so designed in relation to each other shall have a minimum clear space from each other, either of 3 times the sum of their computed deflections due to lateral force or of ½ inch for each 10 feet of height, whichever is the larger, and in any case not less than 1 inch.

(4) The separation distances may be computed and applied at each floor level. Deflections shall be computed as for the design lateral forces set out in these Regulations.

(5) Separation spaces need not extend into the foundations except where the building surveyor may direct. Separation spaces shall be clear of debris and detailed so as to remain clear. Space coverings shall be durable and allow three-dimension movement. Compressible space fillings shall allow the required movement at all times.

Stability and stress reversal

25F.-(1) All buildings and parts of building shall be designed against the adverse effects arising from uplift or overturning.

(2) Where stability is dependent on gravity forces, only such live loads shall be considered as may safely be assumed to contribute to the stabilising force.

(3) Where a building or part of a building is dependent on gravity forces for stability, it shall be designed in that part to be stable when subject to one and one-half times the imposed load other than earthquake tending to cause instability. Seismic forces need not be multiplied by a load factor for stability calculations.

(4) A building or part of a building shall be designed to resist at least one and one-half times any imposed load before failure, from reversal of stress.

Design loads

25G.-(1) All buildings and parts of buildings shall be designed and constructed to support the loads acting or likely to act on the building or part thereof without exceeding the working stresses or design criteria, specified in these Regulations for the materials and methods of construction.

(2) The design loads shall be not less than those specified in these Regulations as dead loads or imposed loads in their most unfavourable combination or combinations; except that wind load, earthquake load or transient dynamic effects need not be taken as acting simultaneously.

(3) Provision shall be made for the loading combinations resulting from the method or sequence of construction.

Test loads

25H.-(1) Buildings or parts of buildings not fully amenable to rational design, may be designed on the basis of loading tests or model experiments.

(2) Loading tests shall demonstrate that the construction has adequate strength and stiffness. Details of the tests shall be as required by American Concrete Institute Standard 318-63 or such other standard, approved by the Board.

DEAD, LIVE AND IMPOSED LOADS

Interpretation

25I.-(1) Dead loads shall comprise the actual or estimated weights of all walls, fixed partitions, columns, floors, roofs, finishes and other permanent construction, and permanently fixed plant and fittings.

(2) Live loads shall comprise the loads assumed or known to result from the occupancy or use of a building and shall include loads on floors, loads on roofs other than wind, loads on balustrades, and loads from movable goods and machinery.

(3) Imposed loads shall comprise the load or force due to live load, wind, earthquake, water, retained materials, or any load other than dead load.

Minimum live loads

25J.-(1) Minimum distributed live loads for particular occupancies and uses shall be as set out in Table 1 appearing in the Third Schedule. These provide for normal effects of impact and acceleration but not for unusual concentrated loads, and shall be measured on plan.

(2) Slabs, ribbed slabs, or joisted floors, shall be designed for no less a total distributed load than that appropriate to a span of 8 feet except in the case of timber construction for loads up to and including 60 lb/sq. ft.

(3) Beams shall be designed for no less a total distributed load than that appropriate to an area of 64 square feet except in the case of timber construction for loads up to and including 60 lb /sq. ft.

(4) Floors to carry vehicles shall be designed for the appropriate distributed load, and also for the worst combination of actual wheel loads, for the class of vehicle of the occupancy.

(5) Extra heavy loads and goods in excess of 200 lb./sq. ft. shall be accurately assessed and the actual weights used as the basis of live load, with an appropriate reduction with wind or earthquake where the full load is not permanently distributed over the area.

Partitions

25K.-(1) Fixed partitions shall be part of the dead load.

(2) Movable partitions and future partitions shall be allowed for an equivalent uniformly distributed load per square foot of not less than 10 per cent of the weight per foot run of the finished partition, and the whole of this load shall be added to the seismic live load.

Corridors, balconies, stairs and landings

25L.-(1) Corridors shall be designed for the same live loading as the floor or other space to which they give access.

(2) External balconies, other than fire escapes, shall be designed for 60 lb./sq. ft., or for the same live loadings as the floor or other space from which they extend, whichever is the greater.

(3) Stairs and landings shall be designed for not less than the same live loadings as the floor or other space to which they give access, but with a maximum of 100 lb./sq. ft.; and there need be no increase for short span slabs or beams, except that independent cantilever steps shall be designed for a concentrated load of 300 lb. at the free end.

Balustrades and parapets

25M.-(1) Balustrades and parapets shall be designed for the following horizontal live loads:

(a)	Light access stairs, gangways and similar	15 lb./ft. run
(b)	Stairs, landings and balconies in private houses and flats	25 "
(c)	All other stairs, landings and balconies and all parapets and handrails to roofs	50 "

(2) The loads in paragraph (1) and those due to wind and earthquake need not act concurrently.

Moving live loads

25N.-(1) Dynamic effects on buildings or parts of buildings from moving live loads, such as cranes, lifts and machinery, shall be provided for according to accepted design rules and relative Acts and regulations.

Reduction in live loads

25O.-(1) The minimum live loads of Table 1 aforesaid may be reduced as follows; except in the case of workrooms, workshops, factories, warehouses, stores, and garages other than car parking buildings:-

(a) For main beams the live load on a single span may be reduced by 5 per cent for each 500 square feet supported, up to maximum of 25 per cent.

(b) For columns, walls and their foundations live loads may be reduced in accordance with Table 2 appearing in the Third Schedule the percentage reduction being applied to all floors above the columns under consideration, or in accordance with the above beam load reduction, whichever is greater.

Actual distribution of loads

25P.-(1) The actual live loads of an occupancy shall on no occasion be distributed less favourably than the design load assumed.

(2) Where actual live loads are excessive, the building surveyor may require the owner or occupier to redistribute or lighten the load, and any neglect or default in complying immediately with such request served under the hand of the building surveyor shall constitute an offence against these Regulations.

Live load with wind or earthquake

25Q.-(1) -When designing for earthquake forces the live load assumed to be contributing to the

total seismic load, and also to the vertical load acting concurrently, shall be the appropriate reduced values of Table 1.

(2) For stability calculations the vertical live load to be taken with wind loading shall be zero.

(3) When such reduced live loads as provided in this clause are used, no further reduction shall be made for the loading on main beams, columns, walls and foundations.

Worst arrangement of live load

25R.-(1) Live load shall be considered to vary from zero to the full design live load on any part of a building, and the worst arrangement of live loads in combination with other loads on the various parts shall be considered in design.

Temperature loads

25S.-(1) Provision shall be made for loadings due to temperature changes.

(2) The normal atmospheric temperature range to be considered shall be from 60°-100° F, and consideration shall be given to shading, thermal capacity, contact with the ground, and direct heating by the sun.

(3) Expansion joints to minimise temperature loads shall be constructed with due consideration for the temperature at which they are made.

Loads on retaining walls, basement walls and floors

25T.-(1) The imposed loads caused by retained materials and the effects of ground water pressure and uplift shall be calculated according to accepted methods and to the approval of the building surveyor.

(2) Retaining walls shall have a factor of safety of at least 1.5 against overturning or sliding instability.

(3) Retaining walls and basement walls shall be designed for additional loads due to adjacent buildings or traffic.

(4) For adjacent footways the surcharge load shall be 200 lb./sq. ft. and for roadways the appropriate vehicle loading to the requirements of the building surveyor.

EARTHQUAKE PROVISIONS

Earthquake design

25U.-(1) Every building or structure or part thereof shall be designed and constructed to withstand stresses produced by earthquake forces as set out in these Regulations.

(2) The static forces given in these Regulations are assumed to represent the dynamic response of the structure by simulating the effects in shears, moments, and direct forces of earthquake ground motion.

(3) The forces shall be applied horizontally and simultaneously at each floor and roof level and may be assumed to act non-concurrently in the direction of each of the principal axes except that, in appropriate circumstances the building surveyor may require consideration in the direction of any other vulnerable axis.

(4) A more precise form of dynamic analysis may be required for special structures and may be accepted for any structure. Account need not be taken of more than the first 3 vibrational modes. The maximum value of the dynamic shearing forces may be assumed to be the square root of the sum of the squares of the modal forces. However, the maximum values of shearing forces and overturning moments used in design shall be not less than 80 per cent of the values computed by static analysis using the coefficients given in these Regulations.

(5) The building surveyor may require greater provision to be made for earthquake effects where buildings exceed 200 ft. in height or are of unusual construction or are situated on sub-soils likely to prove unstable or to substantially alter their characteristics in earthquakes.

Symbols and notations

25v. The following symbols and notations are used in the next succeeding regulations:-

C	=	basic seismic coefficient specified in regulation 25W and determined from Table 4 appearing in the Third Schedule.
C_8	=	coefficient as specified in regulation 25X and determined from Table 3 appearing in the Third Schedule.
D	=	the dimension of the building in feet in a direction parallel to the applied forces.
D_s	=	the plan dimension of the vertical lateral force resisting system in feet.
F_1, F_x	=	lateral forces applied to a level i, or x respectively, in the direction under consideration.
F_s	=	lateral forces on the part of the building in the direction under consideration specified in regulation 25X and determined from Table 3 aforesaid.
F_t	=	that portion of the total lateral force V considered concentrated at the top of the structure at level n.
h_i, h_n, h_x	=	height in feet above the base to level i, n or x respectively.
J	=	coefficient for base moment specified in regulation 25BB.
J_x	=	coefficient for overturning moment at level x.
Level i	=	level of the structure referred to by the subscript i.
Level n	=	that level which is uppermost in the main portion of the structure.
Level x	=	that level which is under design consideration.
M	=	the overturning moment at the base of the building.
M_x	=	the overturning moment at level x.

- N = total number of storeys above ground level.
R = reduction factor specified in paragraph (2) of regulation 25W.
T = fundamental period of vibration of the building or structure in seconds in the direction under consideration.
V = total lateral load or shear at the base in the direction under consideration.

$$= F_t + \sum_{i=1}^n F_i$$
where i = 1 designates the first level above the base.
W_t = total seismic load which shall be equal to the total dead load plus the seismic live load determined from Table 1 aforesaid.

$$= \sum_{i=1}^n w_i$$
where i = 1 designates the first level above the base.
W_s = seismic live load for part of a building determined in the same manner as W_t.
w₁, w_x = that portion of W, which is located at or is assigned to the level designated as i or x respectively.

Total lateral seismic forces

25W.-(1) Every building shall be designed and constructed to withstand a total lateral seismic force in each direction under consideration in accordance with the following formula:-

$$V = C.W_t$$

(2) Except where stated otherwise, the value of C shall be determined from Table 4 aforesaid.

For buildings of 3 or more storeys founded on virgin soapstone the building surveyor may permit the value of C to be modified by multiplying by a reduction factor R where -

$$R \ 0.5 \leq 1.$$

$$\sqrt{\frac{3}{T}}$$

The reduced value of C shall not be less than 0.0333 for buildings nor less than 0.06 for elevated tanks plus full contents on 4 or more cross-braced legs not supported by a building. Where properly substantiated data is not submitted for establishing the period T, its value shall be determined by the formula -

$$T = 0.05 \frac{h_n}{\sqrt{D}}$$

$$\sqrt{D}$$

unless the building has a moment-resisting space frame (which is capable of resisting 100% of the required lateral forces and which frame is not enclosed by or adjoined by more rigid elements which would tend to prevent the frame from resisting lateral forces) in which case the determining formula shall be -

$$T = 0.10N$$

(3) Nothing in these Regulations, however, shall prevent designers from adopting higher coefficients which may be more appropriate to particular structures or unusual site conditions.

Lateral forces on parts or portions of buildings or other structures

25X. Parts of buildings or other structures and their anchorages shall be designed for lateral forces in accordance with the formula -

$$F_s = C_s \cdot W_s.$$

where the values of C_s and the direction of the force are given in Table 3 aforesaid.

Distribution of lateral force

25Y. Except for buildings of 1 and 2 storeys, the total lateral force V shall be distributed in the height of the structure in the following manner:-

$$F_t = .004V \frac{(h_n)^2}{(D_s)}$$

F_t need not exceed $0.15V$ and may be considered as zero for values (h_n) of 3 or less, and

$$\frac{(D_s) F_x = (V - F_t) w_x h_x}{n \sum_{i=1} w_i h_i}$$

All 1 and 2 storey buildings shall have the total lateral force V distributed uniformly over the height of the building.

Horizontal torsional moments

25Z.-(1) Provision shall be made for the increase in shear resulting from torsion due to an eccentricity between the centre of mass and the centre of rigidity. All elements likely to affect the centre of rigidity shall be taken into account. Negative torsional shear shall not be used to offset positive translational shear. Where the vertical resisting elements depend on diaphragm action for shear distribution at any level, the elements resisting the shear shall be capable of resisting an additional torsional moment assumed to be equivalent to the storey shear acting with an eccentricity determined by adding 5 per cent of the maximum building dimension at that level to the computed eccentricity. Towers supporting elevated tanks shall also be designed for an accidental torsion of 5 per cent.

Interstorey deflection

25AA.-(1) Interstorey deflection between two successive floors, measured parallel to the lower floor, shall be limited to 0.0025 of the storey height the calculations being based on the maximum lateral seismic force used in design. Such deflection shall be accepted up to 0.005 of the storey height where adequate clearances are provided for all non-structural parts.

(2) When partitions or other parts are structurally isolated from the basic load resisting structure, provision shall be made for at least 3 times the deflections computed for the design lateral forces.

Overturning moment

25BB. Every building or structure shall be designed to resist the overturning effects caused by the wind forces and related requirements specified in these Regulations or the earthquake forces specified in these Regulations whichever governs, except that the axial loads from earthquake forces on vertical elements and footings in every building or structure may be modified in accordance with the following provisions:-

(a) The overturning moment, M , at the base of the building or structure shall be determined in accordance with the formula -

$$M = J(F_t h_n + \sum_{i=1}^n F_i h_i)$$

where $J = 0.5$

$$\sqrt{\frac{3T^2}{h_n}}$$

The value of J need not be more than 1.00. J shall be taken as 1.00 for elevated tanks plus full contents on 4 or more cross-braced legs not supported by a building.

(b) The overturning moment, M_x , at any level designated as x shall be determined in accordance with the formula -

$$M_x = J_x [F_t (h_n - h_x) + \sum_{i=x}^n F_i (h_i - h_x)]$$

$$\text{where } J_x = J + (1-J) \left(\frac{h_x}{h_n} \right)^3$$

(c) At any level the incremental changes of the design overturning moment, in the storey under consideration, shall be distributed to the various resisting elements in the same proportion as the distribution of the shears in the resisting system. Where other vertical members are provided which are capable of partially resisting the overturning moments, a redistribution may be made to these members if framing members of sufficient strength and stiffness to transmit the required loads are provided.

(d) Where a vertical resisting element is discontinuous, the overturning moment carried by the lowest storey of that element shall be carried down as loads to the foundation.

Set-backs

25CC.-(1) Buildings with set-backs wherein the plan dimension of the tower in each direction is at least 75 per cent of the corresponding plan dimension of the lower part may be considered as a uniform building without set-backs for the purpose of determining seismic forces.

(2) For other conditions of set-backs the tower shall be designed as a separate building using the larger of the seismic coefficients at the base of the tower determined by considering the tower as either a separate building for its own height or as part of the overall structure. The resulting total shear from the tower shall be applied at the top of the lower part of the building which shall be otherwise considered separately for its own height.

Ductility requirements

25DD.-(1) All elements within the structure which resist seismic forces or movements and the building as a whole shall be designed with consideration for adequate ductility.

(2) For buildings more than 160 feet in height, a ductile moment-resisting space frame shall be provided capable of resisting at least 25 per cent of the total lateral force. Moment-resisting space frames and ductile moment-resisting space frames may be enclosed by or adjoined by more rigid elements which would tend to prevent the space frame from resisting lateral forces where it can be shown that the action or failure of the more rigid elements will not impair the vertical and lateral load-resisting ability of the space frame.

Unreinforced masonry

25EE.-(1) Except as provided in paragraph (2), unreinforced masonry shall not be used for buildings of more than 2 storeys or 25 feet eaves height.

(2) (a) Infill panels may be of unreinforced masonry where supported by either a steel, reinforced concrete or reinforced masonry frame itself able to resist at normal stresses the applied loading.

(b) Masonry partitions may be of unreinforced masonry.

WIND DESIGN

Wind loads

25FF. (1) Every building or structure or part thereof shall be designed to withstand the wind loads set out in these Regulations.

(2) The total wind load F to be applied normally to a surface such as a wall, roof or other element shall be obtained from the following formula:-

$$F = p \cdot C_p \cdot A$$

where p = wind pressure, lb./sq. ft., from Table 5 appearing in the Third Schedule;

C = total differential pressure coefficient; and

A^p = area of element under consideration, sq. ft.

(3) The total wind load on a building shall be determined by the summation of the wind loads for each height increment listed in Table 5 aforesaid.

Pressure coefficients

25GG.-(1) Pressure coefficients for various shaped structures are set out in Table 6 appearing in the Third Schedule. The total differential coefficient C_p to be used in paragraph (2) of regulation 25FF is the algebraic difference of the external pressure coefficient C_{pe} and the internal pressure coefficient C_{pi} . Where the pressure coefficient C_n is used as for cylinders, spheres, bill boards

and free standing walls the coefficient C_p shall be replaced by C_n in the formula in paragraph (2) of regulation 25FF. The value of q in these cases shall be taken as 35 lb./sq. ft.

(2) Where structures do not conform to the dimensions given in the diagrams of Table 6 aforesaid, the most appropriate case shall apply.

Local effect of wind

25HH.-(1) The pressure coefficients C_{pe} are average only and are exceeded locally. Table 6 aforesaid sets out the maximum local external pressure coefficients, C_{pe} , which are to be applied to the shaded areas drawn to scale on the sketches. Fastenings for wall and roof sheetings are to be capable of resisting these local pressures, with a minimum value of C_{pe} of - 1.5 anywhere on the roof or walls. Local forces need not be used in calculating the total force on the structure.

(2) For chimneys, masts, and unusual structures the aerodynamic effect of wind shall be considered."

Revocation of regulation 139

7. Regulation 139 of the principal Regulations is hereby revoked.

Amendment of Second Schedule

8. The Second Schedule to the principal Regulations is amended by deleting the heading "DATA TO BE USED FOR THE PURPOSE OF THESE REGULATIONS" and all the sub-headings and paragraphs set out thereunder.

Insertion of Third Schedule

9. The principal Regulations are amended by adding the following Schedule after the Second Schedule:-

"THIRD SCHEDULE

TABLE 1
(Regulation 25J)

LIVE LOADS

Occupancy or Use	Live Load	Live Load for Seismic Calculations
(a) Private houses and residential flats; private rooms in hostels and lodging houses; bedrooms and wards in hospitals; bedrooms and suites in hotels; dormitories	40	13
(b) Service rooms in hotels, hostels, hospitals, and restaurants; upper floors of offices; classrooms; public rooms in art galleries, museums, and libraries; kindergartens	60	20
(c) Public and common rooms in hotels and hostels;	80	27

	restaurants; entrance floors of offices and below; shops and salesrooms for light merchandise; workrooms with portable equipment; places of assembly including churches theatres cinemas, and halls; garages for private cars		
(d)	Books stores in libraries:		
	(1) for racks up to 6 ft. in height	80	27
	(2) for each 1 ft. of rack above 6 ft.	10	3
(e)	Workrooms, workshops, and factories with light-weight machinery and materials, warehouses and stores for goods not exceeding 100 lb./sq. ft.; public auction rooms; drill halls, gymnasias, dance halls, ballrooms, and rooms occasionally used as such; stages in halls and theatres; spectators stands	100	34
(f)	Workrooms, workshops, and factories with medium-weight machinery and materials, commercial garages for vehicles up to 4 tons gross weight	150	50
(g)	Warehouse and stores for goods not exceeding 150 lb./sq. ft.	150	100
(h)	Workrooms, workshops and factories with heavy-weight machinery and materials ware-houses and stores for goods not exceeding 200 lb./sq. ft.	200	134
(i)	Car parking buildings	50	17
(j)	Roofs and verandahs with access for fire escape, roof garden, light storage and similar use, also roofs and verandahs over a public place, where no load will exceed 40 lb./sq. ft.	40	13
(k)	Roofs and verandahs with no access other than for cleaning and repair work, except over a public place:		
	(1) with slopes up to 6 degrees	15	5
	(2) with slopes 15 degrees and above	6	2
	(3) with slopes between 6 degrees and 15 degrees	by linear interpolation	
	For curved roofs the inclination shall be the tangential slope for each section of the curve. Roof framing and covering other than glass shall also support a 200 lb. concentrated load at any point.		
(l)	External fire escape platforms, balconies, bridges and ramps	80	27

REDUCTION OF LIVE LOADS

Number of Floors Carried by Column	Per Cent Reduction of Live Load
1	0
2	10

3	20
4	30
5 or more	40

TABLE 3
(Regulations 25V and 25X)

SEISMIC COEFFICIENTS FOR PARTS OF BUILDINGS

The seismic force is to be applied in any direction unless otherwise specified

Part of Building	Value of Coefficient C_s
1. Cantilevered parapets and cantilevered walls other than garden or boundary walls	0.20 (force normal to face)
2. Walls, panel infillings and partitions other than cantilevered walls but including garden and boundary walls	0.10 (force normal to face)
3. Horizontal cantilevers	0.30 (force vertical)
4. Exterior and interior ornamentations, veneers, and appendages	0.30
5. Floors and roofs acting as diaphragms*	0.05
6. Towers, tank and contents, chimneys, smoke stacks, and penthouses when connected to or part of a building	0.10†
7. Tanks or reservoirs and contents when resting on the ground	0.10
8. Chimneys and smoke stacks, resting on the ground - (a) Prestressed concrete and steel chimneys	0.10
(b) Concrete chimneys	0.08
9. Containers for toxic liquids or gases, spirits, acids, alkalis, molten metal, or poisonous substances	0.15

including containers for materials which could form dangerous gases if released, the supporting structure and contents	
10. Furnaces, steam boilers, and other combustion devices, steam or other pressure vessels, hot liquid containers, transformers, and switchgear and fixings	0.10
11. Pipelines and valves for toxic liquids or gases, compressed air, combustible fluids or gases and pipelines for fire protective devices and fixings	0.30
12. Other pipelines and fixings	0.15
13. Machinery, shelving, trestling, bins, hoppers and other fixtures and fittings	0.10

*Designed for basic coefficient applied to loads tributary to the diaphragm if this force is greater than the force given in regulation 25x.

† Increase by 50 per cent if height to depth ratio of lateral force resisting system is equal to or greater than 5.

TABLE 4
(Regulations 25V and 25W)

**BASIC SEISMIC COEFFICIENT "C" FOR BUILDINGS
AND OTHER STRUCTURES***

Type or Arrangement of Resisting Elements	Value of C
All building framing systems except as hereinafter classified	0.05
Buildings with a box system	0.067
Buildings with a dual bracing system consisting of a ductile moment resisting space frame and shear walls using the following design criteria:- (1) The frames and shear walls shall resist the total lateral force in accordance with their relative rigidities considering the interaction of the shear walls and frames. (2) The shear walls acting independently of the ductile moment resisting portions of the space frame shall resist the total required lateral forces	0.04
(3) The ductile moment resisting space frame shall have the capacity to resist not less than 25 per cent of the required lateral forces.	
Buildings with a ductile moment resisting space frame, which is capable of	0.033

resisting the total required lateral force	
Elevated tanks plus full contents, on four or more cross-braced legs and not supported by a building†	0.15
Structures other than buildings and other than those set out in Table 3	0.10
Power stations and distribution substations	0.167
For one-storey buildings where lateral restraint is provided by a free standing column system not being part of a structural frame in the direction of the applied force	0.075

*Where the wind load as specified in these regulations would produce higher stresses, this load shall be used in lieu of the loads resulting from earthquake forces.

†Elevated tanks which are supported by buildings or do not conform to the type or arrangement of supporting elements as described above shall be designed in accordance with regulation 25x and Table 3.

TABLE 5
(Regulation 25 FF)

Height of building above ground (ft.)	Minimum wind pressure "p" (lb./sq. ft.)
0-20	25
20-50	35
50-100	45
100-200	50
200-300	65

TABLE - 6

WIND LOADS

Editor's Note: Refer to PDF attached for this table

SECTION 40 - PUBLIC HEALTH (AERATED WATER, ICE AND ICE-CREAM) REGULATIONS

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 10. Special provisions relating to ice
 11. Special provisions relating to ice-cream
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 13. Inspection of premises
 14. Penalty
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- Schedule - Forms of Permit and Application for Permit
-

Regulations 20 September 1940, 23 February 1950, 18 May 1954

Short title

1. These Regulations may be cited as the Public Health (Aerated Water, Ice and Ice-cream) Regulations.

Interpretation

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

"aerated water" means every kind of non-alcoholic effervescent liquid prepared for human consumption and sold in bottles, syphons, casks or other vessels, and for the purpose of these Regulations shall include non-effervescent syrups and cordials;

"aerated water factory" means any premises or any part thereof used for the manufacture of aerated waters;

"authority" means a local authority as defined in the Act;

"ice" means water solidified by freezing and intended for sale to the public;

"ice-cream" means any preparation containing cream or a product of milk sweetened or unsweetened, flavoured or unflavoured and artificially frozen, and shall include water ice;

"ice factory" means any building or part of a building or premises used for the manufacture of ice for sale to the public;

"permit" means a permit granted under the provisions of these Regulations;

"water ice" means any preparation of water and foodstuff in a chilled or frozen condition with or without the addition of flavouring or colouring matter.

Permit to maintain factory, etc.

3.-(1) No person shall maintain or carry on, an aerated water factory or ice factory or manufacture ice-cream for sale unless he be in possession of a permit issued by the authority in Form A in the Schedule.

(2) Every such permit shall be annual and shall expire on 31 December in each year.

(3) No permit shall be transferable without the permission in writing of the authority.

(4) The authority may at any time for good and sufficient reason by order in writing delivered at the premises in respect of which the permit is held to the person for the time being in charge suspend such permit. (*Inserted by Regulations 23 February 1950.*)

(5) The holder of the permit may within fourteen days of the date of delivery aforesaid appeal by petition in writing to a resident magistrate* against an order made under paragraph (4), and on such appeal the magistrate may confirm or raise the suspension; but the fact that an appeal is pending against an order shall not itself operate to suspend the order. (*Inserted by Regulations 23 February 1950*)

Application for permit

4.-(1) Any person desirous of obtaining a permit under these Regulations shall apply to the authority on Form B in the Schedule.

(2) The authority shall not issue a permit under these Regulations until the applicant produces a certificate from the medical officer of health or sanitary inspector, stating that the premises in respect of which a permit is required are in conformity with the requirements of the Act or of any regulations made thereunder. (*Amended by Regulations 18 May 1954.*)

Requirements for factory, etc.

5. In every aerated water factory or ice factory, or premises used for the manufacture of ice-cream, granted a permit under these Regulations, the following provisions shall be complied with:-

(a) the buildings shall be substantially built and in good repair, and so constructed as to offer as far as possible no harbourage for rats, mice and other vermin;

(b) the floors shall be of cement, concrete, tiles or other material impervious to water and

laid with a smooth even surface suitably graded and drained;

(c) the internal surface of the walls of every room shall be constructed of brick, tiles, cement or other material impervious to water and having a smooth surface:

Provided that wood lining may be used if the lining boards are placed vertically with closely set joints painted with at least three coats of paint, the final coat of which is light coloured;

(d) the room shall be suitably ceiled;

(e) every room and passage on the premises shall be well lighted and ventilated to the satisfaction of the medical officer of health or sanitary inspector;

(f) there shall be provided sufficient and suitable privy accommodation for both sexes to the satisfaction of the medical officer of health or sanitary inspector;

(g) no room used in the preparation of ice or in the preparation of aerated waters or in the manufacture of ice-cream shall communicate directly with any sleeping room or privy or have in it any opening into any drain or sewer;

(h) there shall be adequate provision for the supply of hot and cold water and of sinks for the cleaning of all appliances used in the processes of manufacture;

(i) the doors, windows and ventilators of all rooms where syrup is handled shall be provided with effective fly screens of wire gauze and such screens shall be maintained in a state of proper repair;

(j) the premises shall be properly drained to the satisfaction of the medical officer of health or sanitary inspector and capable of being maintained in a clean condition;

(k) only filtered or sterilized water free from the risk of contamination and sufficient for the purposes of the aerated water factory or ice factory shall be used;

(l) adequate storage accommodation of a type approved by the medical officer of health or sanitary inspector shall be provided for all ingredients used in the manufacture of aerated waters, ice and ice-cream;

(m) there shall be provided and maintained a portable receptacle or receptacles, of a shape and size approved by the authority and fitted with a good efficient lid or lids, for the disposal of refuse, and all refuse from the aerated water factory or ice factory or premises used for the manufacture of ice-cream shall be placed therein.

(Amended by Regulations 18 May 1954.)

Provisions as to cleanliness

6. Every person to whom a permit shall be granted shall -

(a) at all times keep the aerated water factory or ice factory or premises used for the manufacture of ice-cream in a state of cleanliness, and shall keep every room on the premises, used in the processes of manufacture, free from accumulations of boxes, tins, and any material which may offer harbourage for rats;

(b) cause all tables, vessels, utensils, filters, and machinery to be kept in a clean and wholesome state;

(c) ensure that all persons employed in his aerated water factory or ice factory or premises used for the manufacture of ice-cream are clean at all times while so employed, and are dressed in a clean overall or apron made of washable material;

(d) provide on the premises, for the use of employees, sufficient wash basins and a sufficient supply of soap, nailbrushes and clean towels to the satisfaction of the medical officer of health or sanitary inspector;

(e) provide and maintain a supply of hot water during working hours sufficient for the purposes set forth in these Regulations for which such water is required. (*Amended by Regulations 18 May 1954.*)

Prohibition of animals, etc.

7. No animal or bird shall be kept in any aerated water factory or ice factory, or premises used for the manufacture of ice-cream.

Name and address on vehicles

8. The name of the manufacturer and the address of the premises used as an aerated water factory or ice factory shall be painted on, and be clearly visible on, all vehicles and hand-carts used for the carriage or delivery of ice, or for the collection of bottles used in the manufacture of aerated waters.

Special provisions relating to aerated waters

9. Every person to whom a permit has been granted for premises to be used as an aerated water factory shall -

(a) keep and use bottles and containers of a type easily cleansed;

(b) provide and maintain such apparatus for the cleansing and sterilising of bottles as may be necessary for the purposes of an aerated water factory to the satisfaction of the medical officer of health or sanitary inspector. The process of cleansing shall be as follows:-

(i) bottles to be soaked for at least 10 minutes in a solution of caustic soda or washing soda of effective strength and cleanliness and at a temperature not below 130°F.; then

(ii) rinsed in clear water; then

(iii) every part of the interior of the bottle shall be brushed with an efficient brush; and

(iv) shall be rinsed with a jet of clean water:

Provided that any other system of cleansing approved by the medical officer of health or sanitary inspector may be substituted for the above;

(c) ensure that weekly, all candles are removed from the filter plant and cleansed and then boiled for at least 15 minutes;

(d) ensure that no aerated water or any water in the process of being converted into aerated water becomes into contact with any copper or lead;

(e) provide and maintain separate racks for the drainage and storage of clean bottles. The bottles shall be stacked clear of the floor and so as not to retain water;

(f) provide and maintain separate racks for unwashed or dirty bottles. The bottles shall be stacked clear of the floor and so as not to retain water;

(g) ensure that any bottle washing process is carried out in a separate room from any filling process or in a well defined part of the same room to the satisfaction of the medical officer of health or sanitary inspector;

(h) ensure that all vessels containing syrups are adequately protected against flies and dust;

(i) ensure that all syrup strainers in use are washed daily in clean water and are protected from dust when drying or not in use;

(j) at all times display his permit and a copy of these Regulations, which may be obtained by application to the authority, in a conspicuous part of the aerated water factory;

(k) ensure that no vehicle, hand-cart or other container shall be used for the collection of bottles used in the manufacture of aerated water unless it has been approved by the medical officer of health or sanitary inspector. (*Amended by Regulations 18 May 1954.*)

Special provisions relating to ice

10. Every person to whom a permit has been granted for premises to be used as an ice factory shall -

(a) provide and use for the reception of blocks of ice a suitable concrete bench with proper drainage or a movable wooden bench constructed to the satisfaction of the medical officer of health or sanitary inspector;

(b) provide and use as far as practicable metal tongs for the conveyance of blocks of ice to the storage chamber or to and from any delivery vehicle;

(c) keep scrupulously clean the containers in which the water is frozen, and the containers shall be scrubbed inside with an abrasive soap preparation at least once weekly;

(d) ensure that blocks of ice shall be wrapped only in such materials as may be approved by the medical officer of health or sanitary inspector;

(e) ensure that no vehicle, hand-cart or other container shall be used for the carriage or the delivery of ice unless it has been approved by the medical officer of health or sanitary inspector. (*Amended by Regulations 18 May 1954.*)

Special provisions relating to ice-cream

11.-(1) No person shall manufacture or store any ice-cream for sale nor suffer it to be manufactured or stored in any open shed or unenclosed space.

(2) No person shall sell ice-cream which having been once frozen has run down or melted and which has again been frozen.

(3) No person shall sell any ice-cream unless every spoon, glass or other appliance used by the customer in connection with such a sale has been thoroughly cleansed in clean water.

(4) No person shall refill with ice-cream any once-used package which is made wholly or in part of wood, paper, cardboard or the like absorbent material.

(5) Every person to whom a permit has been granted for premises to be used for the manufacture of ice-cream shall ensure that all vessels used for containing ice-cream or any milk or cream used in the manufacture of ice-cream shall be cleansed as soon as possible after being emptied.

(6) No vehicle, hand-cart or container shall be used for the carriage or delivery of ice-cream unless it has been approved by the medical officer of health or sanitary inspector. (*Amended by Regulations 23 February 1950; 18 May 1954.*)

(7) The name of the manufacturer and the address of the premises used for the manufacture of the ice-cream shall be painted on and be clearly visible on any vehicle, hand-cart or container used for the carriage or delivery of ice-cream.

Liability for breach of Regulations

12. The person to whom a permit has been granted shall be responsible for the due observance of the provisions of these Regulations, and any breach thereof committed by his agents, servants or employees shall be deemed to be a breach by the person to whom the permit has been granted.

Inspection of premises

13. The medical officer of health, sanitary inspector or any person duly authorised in writing by the medical officer of health may, at all reasonable times, enter and inspect any premises used as

an aerated water factory or ice factory or premises used for the manufacture of ice-cream. Any person who directly or indirectly wilfully hinders or obstructs any such officer or person in the course of such inspection shall be deemed to have contravened these Regulations.

Penalty

14. Any person who acts in contravention of or fails to comply with these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10 for each offence, and in the case of a continuing offence to a further fine not exceeding \$4 for each day during which the offence continues after conviction.

Revocation of permit

15. Where any person is convicted of an offence against these Regulations the court may (in addition to any other penalty imposed) revoke or suspend any permit granted under these Regulations.

SCHEDULE

FORM A
(Regulation 3)

PERMIT FOR AERATED WATER FACTORY, ICE FACTORY OR FOR
PREMISES USED FOR MANUFACTURE OF ICE-CREAM

Permit Number:

Name:

Premises at:

Street or Block in

Date of issue, 19...

Authority.

FORM B
(Regulation 4)

FORM OF APPLICATION FOR A PERMIT FOR PREMISES TO BE USED AS AN
AERATED WATER FACTORY, ICE FACTORY OR FOR THE MANUFACTURE OF
ICE-CREAM

To the as Local Authority for the Sanitary District of

I,, of, in the district of

Dated this day of, 19.....

Premises inspected and found satisfactory.

Date:

Medical Officer of Health.

SECTION 40 - PUBLIC HEALTH (BAKE HOUSE) REGULATIONS

TABLE OF PROVISIONS

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12. Containers for yeast
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14. Cleanliness of employees
15. Animals in yard
16. Penalty

Regulations 13 December 1943

Short title

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

Doors to be screened

2. No person shall use or cause or suffer to be used as a bake house any premises unless the

doors and windows are protected against flies and dust by means of self closing wire gauze screens of approved mesh and material.

Hands to be cleansed

3. Every person engaged in the work of preparing or handling flour, bread, cakes or pastry, or the ingredients entering into the composition thereof, shall immediately before commencing such work, and upon every occasion after visiting any sanitary convenience and before resuming work in the bake house, wash his hands thoroughly with soap and clean water.

Basins, etc., to be provided

4. The occupier of a bake house shall, for the purpose of facilitating the fulfilment of the preceding regulations provide sufficient wash basins and a supply of soap and clean towels for the use of his employees.

Clothing

5. The occupier of a bake house shall cause every person working in the bake house to wear a white apron and clean and sufficient clothing, and shall himself observe this requirement if he takes any part in any operation conducted therein or connected therewith.

Storage of flour

6. The occupier of such bake house shall cause flour stocks to be stored only in dry, well-ventilated places, and shall cause the same and all other bake house stores to be kept in such a place and manner as to ensure their protection from dust, rats, mice, and other vermin, and any other cause liable to cause spoilage or deterioration of any such goods.

Bread, etc., to be kept on shelves

7. No bread, cakes, pastry, or other food shall be placed upon the ground or floor or any other place than a bench, shelf or rack well above the ground or floor and kept for the purpose.

Use of tables, etc,

8. No person shall in any bake house sit or lie on any table, bench or trough, or upon any other place on which food is prepared, handled or kept.

Use of bake house

9. No person shall use any bake house for any other purpose than that connected strictly with the preparation and baking of food.

Animals prohibited in bake house

10. No person shall keep or have in, or suffer or permit to be in, any bake house, any dog, animal or poultry.

Yeast

11. The occupier of such bake house shall cause yeast to be manufactured only in an enclosed place to the satisfaction of an inspector and stored only in approved receptacles, which shall be kept securely covered when not in actual use.

Containers for yeast

12. No person shall use any kerosene, petrol or other tin receptacle of a like description for the purpose of holding yeast.

Covering cloths

13. No person shall use, or suffer to be used, for covering dough or for working upon, any bag or sack or material other than that approved by the local authority. Such bag, sack or material shall be kept solely for such purposes and shall be maintained at all times in a clean condition.

Cleanliness of employees

14. Any employee who fails to observe due cleanliness of person or habits, or who neglects to wash his hands before resuming work after visiting the closet or urinal, or who neglects to use, or who misuses, any convenience provided by the occupier of a bake house for the protection of food from contamination, shall be guilty of an offence against this regulation.

Animals in yard

15. The occupier of a bake house shall not permit any animal or poultry to be at large in any yard, and where any horse is stabled on bake house premises, he shall provide a properly constructed and approved covered manure bin into which shall be placed daily all animal or poultry droppings.

Penalty

16. Any person who acts in contravention of or fails to comply with these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10 for each offence and in the case of a continuing offence to a further fine not exceeding \$4 for each day during which the offence continues after conviction.

**SECTION 40. - PUBLIC HEALTH (HOTELS, RESTAURANTS
AND REFRESHMENT BARS) REGULATIONS**

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Regulations 29 August 1960, 5 February 1964, Legal Notice No. 60 of 1967.

Short title

1. These Regulations may be cited as the Public Health (Hotels, Restaurants and Refreshment Bars) Regulations.

Interpretation

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

"hotel" means any premises licensed under any Liquor Act for the time being in force (excluding a club) where articles of food or drink are sold or supplied to guests; (*Cap. 192.*)

"licence" means a licence granted under the provisions of these Regulations;

"licensee" means a person to whom a licence has been issued or transferred;

"local authority" means a local authority as defined by the Act;

"private hotel" or "boarding house" means any premises (excluding a club) in respect of which a private hotel licence has been granted under any Liquor Act or which are not licensed under such Act, where articles of food are sold or supplied to paying resident guests, and any premises, not being a common lodging house or a house let as lodgings, where provision is made for more than six paying guests to be accommodated overnight; (*Cap. 192.*)

"refreshment bar" means any eating house in which the only articles of food sold or supplies are articles of food which have not been subject to extensive preparation and cooking on the premises and includes a Kava saloon, and for the purpose of this definition and without restricting the meaning of the words "extensive preparation and cooking", eggs, fish, meat, poultry or vegetables which have been roasted, grilled, boiled or fried shall be deemed to have been subjected to extensive preparation and cooking;

"restaurant" means any eating house where articles of food or drink are extensively prepared or cooked, and sold or supplied for consumption on the premises to persons other than the occupier or proprietor, his family or non-paying guests.

(Amended by Regulations 5 February 1964.)

Application

***3.** These Regulations shall not apply -

- (a) to the cities of Suva and Lautoka;
- (b) to premises used as temporary labour camps;
- (c) to a travelling canteen;
- (d) to a mess or canteen erected for, and used only for the duration of, a temporary camp;
- (e) to a tent, booth or other similar shelter erected for, and used solely, for the duration of, a sports meeting, bazaar, festival, fete, or other special occasion.

Hotel, etc., licences

4.-(1) It shall be an offence for any person to conduct on any premises the business of an hotel, private hotel, boarding house, restaurant, or refreshment bar unless he is the holder of a licence in respect of those premises.

(2) Application for the issue or renewal of a licence shall be made in writing to the local authority in the form contained in Schedule 1.

(3) Such further particulars shall be given by the applicant as the local authority may reasonably require.

(4) No licence shall be issued or renewed by the local authority unless the applicant produces a certificate to the local authority signed by the medical officer of health or sanitary inspector stating that the premises to be licensed conform to the requirements of the Act.

(5) The local authority may refuse to issue or renew any licence in respect of premises which do not conform to the requirements of these Regulations.

(6) A licence shall be in the form contained in Schedule 2.

(7) The local authority may refuse to issue a licence to or renew the licence of any applicant who during the period of twelve months immediately preceding the date of application for such issue or renewal has been convicted on at least two occasions of offences against these Regulations.

(8) A licence shall, unless cancelled, remain in force until 31 December next following the date on which it is expressed to come into force.

(9) The local authority shall cause to be kept a register of licences issued, renewed, cancelled or transferred.

Transfer of licence

5. The local authority may, on the application in writing of the licensee, transfer the licence to another person by endorsing thereon the name of the transferee and such particulars as may be

necessary consequent upon the transfer:

Provided that the local authority may refuse to transfer a licence to any person who during the period of twelve months immediately preceding the date of application for such a transfer has been convicted on at least two occasions of offences under these Regulations.

Cancellation of licence

6.-(1.) If it appears that any premises licensed as an hotel, private hotel, boarding house, restaurant or refreshment bar are not maintained, kept or constructed in accordance with the provisions of these Regulations, the local authority, after giving due notice of its intention to do so, and of the grounds of such intention, to the licensee, and after affording the licensee a reasonable opportunity of remedying any breach of the regulations specified in such notice, may, on being satisfied that any such breach has not been remedied, cancel the licence.

(2) No such cancellation shall prevent the making of a fresh application by the original licensee or any other person for a licence in respect of the same premises.

(3) The local authority shall give notice in writing of such cancellation and of the date thereof to the licensee.

(4) The licensee may within 14 days of the date of the above cancellation appeal by petition in writing to a resident magistrate* against such cancellation, and on appeal the magistrate may confirm or rescind such cancellation; but the fact that an appeal is pending against the cancellation of a licence shall not in itself operate to rescind the cancellation.

Condition of premises-hotels

7. In every hotel -

(1) the dining room shall be at least 15 feet long, 12 feet wide, with walls at least 8 feet high;

(2) the kitchen shall have a minimum area of 120 square feet and the ceiling shall be at least 8 feet high;

(3) the floors of the dining room and kitchen shall be constructed of cement concrete covered with tiles or well-smoothed and properly jointed wood;

(4) the internal walls of the dining room and kitchen shall be covered with non-absorbent material having a smooth surface or shall be of wood jointed vertically with tongued and grooved joints:

Provided that the use of traditional materials may be permitted for the walls of any dining room at the discretion of the local authority;

(5) the internal walls of the dining room and kitchen shall be painted, in the first instance, with at least 3 coats of paint, the final coat of which shall be a light colour, to

the satisfaction of the local authority, and at intervals of not more than 2 years, with one coat:

Provided that -

(a) if in the opinion of the local authority the appearance is satisfactory the interval of 2 years may be increased to such longer period as the local authority may determine;

(b) this paragraph shall not apply to traditional materials used for decorative purposes in any dining room or the wall of any kitchen which is tiled;

(6) there shall be provided in the kitchen and every habitable room one glazed window or glazed door at the least opening directly to the external air, and the total area of such window, or if there be more than one, of the several windows, clear of the sash frames shall be equal to at least one-tenth of the floor area of such room.

Every window so provided shall be constructed so that one-half at the least may be opened;

(7) there shall be provided in every room for every 100 feet or part thereof of floor space, 120 square inches at the least of unobstructed ventilation to the outer air by means of air bricks or other efficient ventilators situated at or near the level of the ceiling:

Provided that this paragraph shall not apply where the building is of native bure type construction and has a thatched roof;

(8) there shall be provided in every bedroom having a window or windows in one external wall cross-ventilation by means of at least 40 square inches of unobstructed opening in some wall of the room other than that in which the window or windows are situated. Such opening may be by an additional window, fire-place, fan-light, air-brick or other suitable means:

Provided that this paragraph shall not apply where the room is air conditioned and the air conditioning plant is in use at all times when the room is occupied;

(9) all rooms shall be ceiled with tongued and grooved boarding, masonite, plaster board, soft board or other such material approved by the local authority: Provided that this paragraph shall not apply where the building is of native bure type construction and has a thatched roof;

(10) (a) there shall be provided separate sanitary conveniences for each sex in accordance with the following scales:-

(i) where accommodation is provided for not more than 8 occupants, at least one closet for males and one closet for females;

(ii) where accommodation is provided for any number of occupants exceeding 8 -

(aa) for males: at least one closet for every 8 males or fraction thereof;

(bb) for females: at least one closet for any number of females up to 6; and one additional closet for each additional 8 females or fraction thereof;

(iii) one urinal shall be provided for any number of males up to 8; and one additional urinal for each additional 16 males or fraction thereof:

Provided that where the premises are connected to a public sewerage system or to a septic tank, a pedestal closet having a lift-up seat shall be deemed to be a urinal;

(iv) in the case of licensed premises, such additional closets and urinals shall be provided as, in the opinion of the local authority, the needs of the public frequenting such premises may require;

(v) for the purposes of sub-paragraphs (i), (ii) and (iii), "occupant" shall include servants and other employees whether or not resident in the premises;

(b) wash-hand-basins with water laid thereto shall be provided in convenient association with all closets or groups of closets; and the number and position of such wash-hand-basins shall be such that, in the opinion of the local authority, the needs and convenience of all occupants or users of such building will be adequately served;

(11) (a) if the hotel is constructed to accommodate not more than 8 persons there shall be provided -

(i) a bathroom equipped with either a plunge bath, a shower and a wash-hand-basin, with water laid to each or 2 separate showers and wash-hand-basins with water laid to each; or

(ii) a separate bathroom for each bedroom, equipped with a shower and a wash-hand-basin, with water laid to each;

(b) if the hotel is constructed to accommodate more than 8 persons there shall be provided -

(i) one bathroom, equipped as prescribed in item (i) of paragraph (a), for

each sex for every 6 bedrooms or part thereof contained in such building;
or

(ii) a separate bathroom for each bedroom, equipped with a shower and a wash-hand-basin with water laid to each;

(c) in every such hotel wash-hand-basins, or other approved means of performing personal ablutions shall be provided; and where wash-hand-basins are not provided in all bedrooms, the number of such wash-hand-basins shall be not less than the number of bathrooms required by sub-paragraphs (a) and (b);

(d) where grouped bathrooms are provided, each such group shall be confined to use by persons of one sex only;

(e) the total floor area of a grouped bathroom shall be not less than the total area calculated by allowing 15 square feet for each shower compartment, 30 square feet for each bath, 6 square feet for each wash-hand-basin and an adequate area for access to the same; (*Amended by Regulations 21 April 1967*)

(12) no dining room, kitchen or bar shall be used as a sleeping room or living room or have direct communication with a sleeping or living room or have in it any opening into any drain or sewer, not equipped with a trapped soil or waste pipe;

(13) the kitchen, dining room and bar shall be maintained free from flies and other insects, at all times;

(14) all rooms and furniture shall be maintained in a clean and wholesome condition and free from fleas, bugs, cockroaches, ants and other like insects, and for this purpose all cracks, crevices, lodgments, bedding and other harbourage shall be thoroughly treated with approved insecticide or other approved method at least once in every 3 months or as often as the medical officer of health or sanitary inspector may direct;

(15) all bed linen shall be kept clean at all times and shall be changed after use by each occupant;

(16) all pillows shall be covered by a bag made of a suitable impervious material and this shall be placed between the pillow and the pillow slip;

(17) in every kitchen there shall be provided electric or other suitable lighting without undue glare or shadow and sufficient for the efficient carrying on of the preparation and cooking of meals;

(18) there shall be provided a sufficient number of refrigerators or other proper and sufficient accommodation for the storage and preparation of all food and drink, so constructed as to be readily cleansed and so as to protect food from damp and from access by rats or other vermin and from contamination of any sort, and free from dust and

flies at all times;

(19) there shall be provided sufficient and suitable receptacles for the storage of all uncooked vegetables and no other food shall be stored in such receptacles;

(20) there shall be provided and maintained at least 4 portable metal receptacles of a size and shape approved by the local authority and fitted with efficient tight-fitting metal lids for the disposal of refuse, and all refuse from the hotel shall be placed therein, and the bins shall be secured in such a manner as to prevent their being overturned by dogs; where there is no public garbage disposal service, all such refuse shall be disposed of to the satisfaction of the local authority;

(21) a hood of hard, smooth, impervious material connected to a flue and with a good draught and proper chimney to the open air shall be provided for every stove used for cooking purposes;

(22) there shall be provided in every bar and kitchen at least 2 sinks and draining boards of a type approved by the medical officer of health or sanitary inspector with a constant supply of hot and cold water sufficient for the adequate washing, cleansing and rinsing of all glasses, crockery and other utensils, and there shall be provided and used a suitable detergent for the proper sterilization of all such glasses, crockery and utensils to the satisfaction of the medical officer of health or sanitary inspector, such detergent being of sulphonated fatty alcohols, quaternary ammonium compounds, sodium hypochlorite or other tasteless, odourless and harmless sterilent which may from time to time be approved by the local authority;

(23) there shall be provided in every kitchen and bar at least one wash-hand-basin with a constant supply of hot and cold water, with a clean towel or a supply of paper towels, soap and a nailbrush for the use of persons employed in the preparation, storage or service of food or drink for sale;

(24) there shall be provided in every bar an approved waste trap for the disposal of slops, waste and dregs, and no such slops, waste or dregs shall be re-used or served to any customer;

(25) there shall be provided proper and sufficient racks, stands or boards for the efficient draining of any water from all freshly cleansed glasses, crockery, cutlery or utensils, and no cloth shall be used for the purposes of drying any such glasses, crockery, cutlery or utensils, nor shall any other method be employed whereby cleansed glasses, crockery, cutlery or utensils may become re-contaminated;

(26) (a) there shall be provided under every beer bowser a waste trap or tray containing a quantity of methyl violet sufficient to impart to the contents thereof a distinct violet colour;

(b) no glass, mug or other receptacle shall be placed in any such waste trap or

tray. (*Inserted by Regulations S February 1964.*)

Condition of premises private hotels and boarding houses

8. In every private hotel or boarding house -

(1) the dining room shall be at least 15 feet long, 12 feet wide, with walls at least 8 feet high;

(2) the kitchen shall have a minimum area of 120 square feet and the ceiling shall be at least 8 feet high;

(3) the floors of the dining room and kitchen shall be constructed of cement concrete covered with tiles or well-smoothed and properly jointed wood;

(4) the internal walls of the dining room and kitchen shall be covered with non-absorbent material having a smooth surface or shall be of wood jointed vertically with tongued and grooved joints:

Provided that the use of traditional materials may be permitted for the walls of any dining room at the discretion of the local authority;

(5) the internal walls of the dining room and kitchen shall be painted, in the first instance, with at least 3 coats of paint, the final coat of which shall be a light colour to the satisfaction of the local authority, and at intervals of not more than 2 years with one coat:

Provided that -

(a) if in the opinion of the local authority the appearance is satisfactory the interval of 2 years may be increased to such longer period as the local authority may determine;

(b) this paragraph shall not apply to traditional materials used for decorative purposes in any dining room or to the wall of any kitchen which is tiled;

(6) there shall be provided in the kitchen and every habitable room one glazed window or glazed door at the least opening directly to the external air, and the total area of such window, or if there be more than one, of the several windows, clear of the sash frames shall be equal to at least one-tenth of the floor area of such room, Every window so provided shall be constructed so that one-half at the least may be opened;

(7) there shall be provided in every room for every 100 feet or part thereof of floor space 120 square inches at the least of unobstructed ventilation to the outer air by means of air bricks or other efficient ventilators situated at or near the level of the ceiling;

Provided that this paragraph shall not apply where the building is of native bure type construction and has a thatched roof;

(8) there shall be provided in every bedroom having a window or windows in one external wall cross-ventilation by means of at least 40 square inches of unobstructed opening in some wall of the room other than that in which the window or windows are situated. Such opening may be by an additional window, fireplace, fan-light, air-brick or other suitable means:

Provided that this paragraph shall not apply where the room is air conditioned and the air conditioning plant is in use at all times when the room is occupied;

(9) all rooms shall be ceiled with tongued and grooved boarding, masonite, plaster board, soft board or other such material approved by the local authority: Provided that this paragraph shall not apply where the building is of native bure type construction and has a thatched roof;

(10) (a) there shall be provided separate sanitary conveniences for each sex in accordance with the following scales:-

(i) where accommodation is provided for not more than 8 occupants, at least one closet for males and one closet for females;

(ii) where accommodation is provided for any number of occupants exceeding 8 -

(aa) for males: at least one closet for every 8 males or fraction thereof;

(bb) for females: at least one closet for any number of females up to 6; and one additional closet for each additional 8 females or fraction thereof;

(iii) one urinal shall be provided for any number of males up to 8; and one additional urinal for each additional 16 males or fraction thereof:

Provided that where the premises are connected to a public sewerage system or to a septic tank, a pedestal closet having a lift-up seat shall be deemed to be a urinal;

(iv) in the case of licensed premises, such additional closets and urinals shall be provided as, in the opinion of the local authority, the needs of the public frequenting such premises may require;

(v) for the purposes of sub-paragraphs (i), (ii) and (iii) of this paragraph, "occupant" shall include servants and other employees whether or not resident on the premises;

(b) wash-hand-basins with water laid thereto shall be provided in convenient association with all closets or groups of closets; and the number and position of such wash-hand-basins shall be such that, in the opinion of the local authority, the needs and convenience of all occupants or users of such building will be adequately served;

(11) (a) if the private hotel or boarding house is constructed to accommodate not more than 8 persons there shall be provided -

(i) a bathroom equipped with either a plunge bath, a shower and a wash-hand-basin, with water laid to each or 2 separate showers and wash-hand-basins with water laid to each; or

(ii) a separate bathroom for each bedroom, equipped with a shower and a wash-hand-basin, with water laid to each;

(b) if the private hotel or boarding house is constructed to accommodate more than 8 persons there shall be provided -

(i) one bathroom, equipped as prescribed in item (i) of paragraph (a) for each sex for every 6 bedrooms or part thereof contained in such building; or

(ii) a separate bathroom for each bedroom, equipped with a shower and a wash-hand-basin with water laid to each.

(c) in every such private hotel or boarding house wash-hand-basins, or other approved means of performing personal ablutions shall be provided; and where wash-hand-basins are not provided in all bedrooms, the number of such wash-hand-basins shall be not less than the number of bathrooms required by sub-paragraphs (a) and (b);

(d) where grouped bathrooms are provided, each such group shall be confined to use by persons of one sex only;

(e) the total floor area of a grouped bathroom shall be not less than the total area calculated by allowing 15 square feet for each shower compartment, 30 square feet for each bathroom, 6 square feet for each wash-hand-basin, and an adequate area for access to the same;

(Amended by Regulations 21 April 1967)

(12) no dining room or kitchen shall be used as a sleeping room or living room or have direct communication with a sleeping or living room or have in it any opening into any drain or sewer, not equipped with a trapped soil or waste pipe;

(13) the kitchen and dining room shall be maintained free from flies and other insects, at

all times;

(14) all rooms and furniture shall be maintained in a clean and wholesome condition and free from fleas, bugs, cockroaches, ants and other like insects, and for this purpose all cracks, crevices, lodgments, bedding and other harbourage shall be thoroughly treated with approved insecticide or other approved method at least once in every 3 months or as often as the medical officer of health or sanitary inspector may direct;

(15) all bed linen shall be kept clean at all times and shall be changed after use by each occupant;

(16) all pillows shall be covered by a bag made of suitable impervious material and this shall be placed between the pillow and the pillow slip;

(17) in every kitchen there shall be provided electric or other suitable lighting without undue glare or shadow and sufficient for the efficient carrying on of the preparation and cooking of meals;

(18) there shall be provided a sufficient number of refrigerators or other proper and sufficient accommodation for the storage and preparation of all food and drink, so constructed as to be readily cleansed and so as to protect food from damp and from access by rats or other vermin and from contamination of any sort, and free from dust and flies at all times;

(19) there shall be provided sufficient and suitable receptacles for the storage of all uncooked vegetables and no other food shall be stored in such receptacles;

(20) there shall be provided and maintained at least 2 portable metal receptacles of a size and shape approved by the local authority and fitted with efficient tight-fitting metal lids for the disposal of refuse and all refuse from the hotel shall be placed therein, and the bins shall be secured in such a manner as to prevent their being overturned by dogs; where there is no public garbage disposal service, all such refuse shall be disposed of to the satisfaction of the local authority;

(21) a hood of hard, smooth, impervious material connected to a flue and with a good draught and proper chimney to the open air shall be provided for every stove used for cooking purposes;

(22) there shall be provided in every kitchen at least 2 sinks and draining boards of a type approved by the medical officer of health or sanitary inspector with a constant supply of hot and cold water sufficient for the adequate washing, cleansing and rinsing of all glasses, crockery and other utensils, and there shall be provided and used a suitable detergent for the proper sterilization of all such glasses, crockery and utensils to the satisfaction of the medical officer of health or sanitary inspector, such detergent being of sulphonated fatty alcohols, quarternary ammonium compounds, sodium hypochlorite or other tasteless, odourless and harmless sterilent which may from time to time be

approved by the local authority;

(23) there shall be provided in every kitchen and bar at least one wash-hand-basin with a constant supply of hot and cold water, with a clean towel or a supply of paper towels, soap and a nailbrush for the use-of persons employed in the preparation, storage and service of food or drink for sale;

(24) there shall be provided proper and sufficient racks, stands or boards for the efficient draining of any water from all freshly cleansed glasses, crockery, cutlery or utensils, and no cloth shall be used for the purpose of drying any such glasses, crockery, cutlery or utensils, nor shall any other method be employed whereby cleansed glasses, crockery, cutlery or utensils may become recontaminated;

(25) (a) There shall be provided under every beer bowser a waste trap or tray containing a quantity of methyl violet sufficient to impart to the contents thereof a distinct violet colour;

(b) no glass, mug or other receptacle shall be placed in any such waste trap or tray. (Inserted by Regulations 5 August 1964.)

Condition of premises-restaurants

9. In every restaurant -

(1) the dining room shall be at least 15 feet long, 12 feet wide, with walls at least 8 feet high;

(2) the kitchen shall have a minimum area of 120 square feet and the ceiling shall be at least 8 feet high;

(3) the floors of the dining room and kitchen shall be constructed of cement concrete covered with tiles or well-smoothed and properly jointed wood;

(4) the internal walls of the dining room and kitchen shall be covered with non-absorbent material having a smooth surface, or shall be of wood joined vertically with tongued and grooved joints:

Provided that the use of traditional materials may be permitted for the walls of any dining room at the discretion of the local authority;

(5) the internal walls of the dining room and kitchen shall be painted in the first instance with at least 3 coats of paint the final coat of which shall be a light colour, to the satisfaction of the local authority, and at intervals of not more than 2 years with one coat:

Provided that -

(a) if in the opinion of the local authority the appearance is satisfactory the

interval of 2 years may be increased to such longer period as the local authority may determine;

(b) this paragraph shall not apply to traditional materials used for decorative purposes in any dining room or to the wall of any kitchen which is tiled;

(6) there shall be provided in the kitchen and dining room one glazed window or glazed door at the least opening directly to the external air, and the total area of such window or if there be more than one, of the several windows, clear of the sash frames shall be equal to at least one-tenth of the floor area of such room.

Every window so provided shall be constructed so that one-half at the least may be opened;

(7) there shall be provided in every room for every 100 feet or part thereof of floor space, 120 square inches at the least of unobstructed ventilation to the outer air by means of air bricks or other efficient ventilators situated at or near the level of the ceiling;

(8) all rooms shall be suitably veiled;

(9) sanitary accommodation shall be provided on the basis of the number of persons of each sex ordinarily occupying or present in such building during any substantial part of the day, as follows:-

(a) for males: one closet for every 20 males or fraction thereof; and one urinal for every 25 males or fraction thereof;

(b) for females: one closet for every 15 females or fraction thereof.

Wash-hand-basins with water laid thereto shall be provided in convenient association with all closets or groups of closets; and the number and position of such wash-hand-basins shall be such that, in the opinion of the local authority, the needs and convenience of all occupants or users of such building will be adequately served;

(10) no dining room or kitchen shall be used as a sleeping room or living room or have direct communication with a sleeping room or living room or have in it any opening into any drain or sewer not equipped with a trapped soil or waste pipe;

(11) the kitchen and dining room shall be maintained free from flies and other insects at all times;

(12) where there is no public water supply system a supply of safe, clean water kept in a clean and covered receptacle approved by the medical officer of health or sanitary inspector and sufficient for the purposes of the restaurant shall be maintained, and an adequate supply of hot and cold water shall be provided for the washing, cleansing and rinsing of all utensils and cutlery used in the preparation, service or consumption of food

and drink;

(13) all rooms and furniture shall be maintained in a clean and wholesome condition and free from fleas, bugs, cockroaches, ants and other like insects, and for this purpose all cracks, crevices, lodgment and other harbourage shall be thoroughly treated with approved insecticide or other approved method at least once in every 3 months or as often as the medical officer of health or sanitary inspector may direct;

(14) in every kitchen there shall be provided artificial lighting without undue glare or shadow and sufficient for the efficient carrying on of the preparation and cooking of meals; such lighting shall not be of candles or any other means whereby the food or utensils may be contaminated with wax or other substance;

(15) there shall be provided a sufficient number of refrigerators or other proper and sufficient accommodation for the storage and preparation of all food and drink, so constructed as to be readily cleansed and so as to protect food from damp and from access by rats or other vermin and free from contamination of any sort and free from dust and flies at all times;

(16) there shall be provided sufficient and suitable receptacles for the storage of all uncooked vegetables and no other food shall be stored in such receptacles;

(17) there shall be provided at least 2 portable metal receptacles of a size and shape approved by the local authority and fitted with efficient tight-fitting metal lids for the disposal of refuse, and all refuse from the restaurant shall be placed, therein, and the bins shall be secured in such a manner as to prevent their being overturned by dogs; where there is no public garbage disposal service all such refuse shall be disposed of to the satisfaction of the local authority;

(18) a hood of hard, smooth, impervious material connected to a flue and with a good draught and proper chimney to the open air shall be provided for every stove used for cooking purposes;

(19) there shall be provided in every kitchen at least 2 sinks and draining boards of a type approved by the medical officer of health or sanitary inspector with a supply of hot and cold water sufficient for the adequate washing, cleansing and rinsing of all glasses, crockery and other utensils, and there shall be provided and used a suitable detergent for the proper sterilization of all such glasses, crockery and utensils to the satisfaction of the medical officer of health or sanitary inspector, such detergent being of sulphonated fatty alcohols, quaternary ammonium compounds, sodium hypochlorite or other tasteless, odourless and harmless sterilent which may from time to time be approved by the local authority;

(20) there shall be provided in every kitchen at least one wash-hand-basin with a supply of hot and cold water, with a clean towel or a supply of paper towels, soap and a nail-brush for the use of persons employed in the preparation, storage or service of food

or drink for sale;

(21) there shall be provided in or near any dining room where curried foodstuffs or other meals are eaten by any customer by hand, a wash-hand-basin with soap and a plentiful supply of paper towels or a clean towel provided fresh for each customer;

(22) there shall be provided proper and sufficient racks, stands or boards for the efficient draining of any water from all freshly-cleansed glasses, crockery, cutlery or utensils and no cloth shall be used for the purpose of drying any such glasses, crockery, cutlery or utensils, nor shall any other method be employed whereby cleansed glasses, crockery, cutlery or utensils may become recontaminated.

Condition of premises-refreshment bars

10. In every refreshment bar -

(1) the floors of the dining room and kitchen shall be constructed of cement concrete covered with tiles or well-smoothed and properly jointed wood;

(2) the internal walls of the refreshment bar shall be covered with non-absorbent material having a smooth surface or shall be of wood jointed vertically with tongued and grooved joints:

Provided that the use of traditional materials may be permitted for the walls of any dining room at the discretion of the local authority;

(3) the internal walls of the refreshment bar shall be painted in the first instance with at least 3 coats of paint, the final coat of which shall be a light colour, to the satisfaction of the local authority, and at intervals of not less than 2 years with one coat:

Provided that -

(a) if in the opinion of the local authority the appearance is satisfactory the interval of 2 years may be increased to such longer period as the local authority may determine;

(b) this paragraph shall not apply to traditional materials used for decorative purposes in any dining room or to the wall of any kitchen which is tiled;

(4) there shall be provided in the refreshment bar one glazed window or glazed door at the least opening directly to the external air, and the total area of such window or if there be more than one, of the several windows, clear of the sash frames shall be equal to at least one-tenth of the floor area of such room.

Every window so provided shall be constructed so that one-half at least may be opened;

(5) there shall be provided in the refreshment bar for every 100 feet or part thereof of floor space, 120 square inches at the least of unobstructed ventilation to the outer air by means of air bricks or other efficient ventilators situated at or near the level of the ceiling;

(6) the refreshment bar shall be suitably veiled;

(7) sanitary accommodation shall be provided on the basis of the number of persons of each sex ordinarily occupying or present in such building during any substantial part of the day, as follows -

(a) for males: one closet for every 20 males or fraction thereof; and one urinal for every 25 males or fraction thereof;

(b) for females: one closet for every 15 females or fraction thereof:

Provided that -

(a) where the only persons employed consist of members of the same family one water-closet only need be provided;

(b) if the local authority is satisfied that sufficient and suitable water-closet accommodation is reasonably and conveniently available, they may at their discretion dispense with the provision of separate water-closet accommodation where the persons employed are all members of the same family and where there is provided behind the counter of the refreshment bar a wash-hand-basin with a constant supply of hot and cold water, soap, a nail brush and a clean towel or a plentiful supply of paper towels;

(8) no refreshment bar shall be used as a sleeping room or living room or have direct communication with a sleeping room or a living room or have in it any opening into any drain or sewer, not equipped with a trapped soil or waste pipe;

(9) the refreshment bar shall be maintained free from flies and other insects at all times;

(10) where there is no public water supply system a supply of safe clean water kept in a clean and covered receptacle approved by the medical officer of health or sanitary inspector and sufficient for the purposes of the refreshment bar shall be maintained, and an adequate supply of hot and cold water shall be provided for the washing, cleansing and rinsing of all utensils and cutlery used in the preparation, service or consumption of food or drink;

(11) the refreshment bar, counter and furniture shall be maintained in a clean and wholesome condition and free from fleas, bugs, cockroaches, ants and other like insects, and for this purpose all cracks, crevices, lodgments and other harbourage shall be thoroughly treated with approved insecticide or other approved method as often as the

medical officer of health or sanitary inspector may direct;

(12) there shall be provided at least one refrigerator or other proper and sufficient accommodation for the storage and preparation of food or drink, so constructed as to be readily cleansed and so as to protect food from damp and from access by rats or other vermin and from contamination of any sort and free from dust and flies;

(13) there shall be provided and maintained at least one portable metal receptacle of a size and shape approved by the local authority and fitted with an efficient and tight-fitting metal lid for the disposal of refuse, and all refuse from the refreshment bar shall be placed therein, and the bins shall be secured in such a manner as to prevent their being overturned by dogs; where there is no public garbage disposal service all such refuse shall be disposed of to the satisfaction of the local authority;

(14) the apparatus used for boiling water shall not emit any noxious or unpleasant fumes, shall be kept clear and shall be to the satisfaction of the medical officer of health or sanitary inspector;

(15) there shall be provided at least 2 sinks and draining boards of a type approved by the medical officer of health or sanitary inspector with a supply of hot and cold water sufficient for the adequate washing, cleansing and rinsing of all glasses, crockery and other utensils and there shall be provided and used a suitable detergent for the proper sterilization of all such glasses, crockery and utensils to the satisfaction of the medical officer of health or sanitary inspector, such detergent being of sulphonated fatty alcohols, quarternary ammonium compounds, sodium hypochlorite or other tasteless, odourless, and harmless sterilent which may from time to time be approved by the local authority:

(16) there shall be provided proper and sufficient racks, stands or boards for the efficient draining of any water from all freshly-cleansed glasses, crockery, cutlery or utensils, and no cloth shall be used for the purpose of drying any such glasses, crockery, cutlery or utensils, nor shall any other method be employed whereby cleansed glasses, crockery, cutlery or utensils may become recontaminated.

Clothing

11. Every person, while preparing or serving articles of food or drink in any hotel, private hotel or boarding house, restaurant or refreshment bar shall wear -

(a) in case of a male, a clean white shirt and clean white trousers or sulu;

(b) in case of a female, a clean white full length apron over her dress.

(Inserted by Regulations S February 1964.)

Board's power to modify requirements of Regulations

12. In any particular case the Board may modify any of the requirements of these Regulations where it is satisfied that the object of such requirement can be attained equally efficiently by the adoption of some alternative means, and may make such modification conditional upon the

adoption of such alternative.

Offences

13.-(1) Any person who contravenes or fails to comply with any of the provisions of these Regulations shall be guilty of an offence.

(2) It shall be an offence for any person to keep any live animal including a dog, cat or bird in any kitchen or store-room where food is stored of any hotel, private hotel, boarding house, restaurant or refreshment bar.

(3) It shall be an offence for a licensee to fail to maintain cupboards, shelves, receptacles, furniture, fittings, cutlery and utensils in any hotel, private hotel, boarding house, restaurant or refreshment bar in a clean and wholesome state.

(4) It shall be an offence to sell or attempt to sell any beer, spirits or other drink which has been overdrawn from any glass, tankard, cup or like receptacle, or which drink has otherwise formed any slops, waste or dregs.

(5) It shall be an offence to use or serve again to any person any food or drink which has once been served to any customer and left by such customer or returned to the kitchen, bar or counter.

(6) It shall be an offence for any person to serve or prepare any articles of food or drink for sale unless his clothing and body are clean and unless he has washed his hands immediately before commencing work and after visiting the sanitary convenience.

(7) A notice which includes paragraph (6) together with paragraph (14) shall be provided by the local authority and it shall be an offence for any licensee to allow any kitchen to be used, or to allow any lavatory to be used by any person engaged in the preparation or service of food for sale, in which this notice is not clearly and legibly displayed.

(8) It shall be an offence to use or have on the premises for the purpose of use for the preparation, cooking or service of any food or drink for sale or consumption on the premises any glass, crockery, cutlery, or utensils which are soiled, tarnished, chipped or cracked or otherwise so defective as to be incapable of being effectively sterilized, and it shall be lawful for a medical officer of health or sanitary inspector to seize and destroy any such glass, crockery, cutlery or utensils should he consider such action to be in the interests of public health, without compensation and without prejudice to any legal or other action the local authority may take.

(9) It shall be an offence for any person to spit or smoke whilst engaged in the preparation, storage, cooking, service, or sale of any food or drink, or in the cleansing or sterilization of any glass, crockery, cutlery or utensils used in connection therewith.

(10) It shall be an offence for any person engaged in the preparation, cooking or service of any food for sale or for consumption on the premises to portion out food of any kind on to plates, dishes or utensils with his fingers, and for the purpose of performing this operation a clean fork, spoon or other instrument shall be used.

(11) It shall be an offence for any licensee to engage in or to employ any member of his family or any other person for the preparation, cooking, storage, or for the service of any food or drink for sale or for the washing, cleansing or rinsing of any glasses, crockery, cutlery or utensils used in such preparation, cooking, storage or service, knowing himself or such person to be suffering from an infectious disease.

(12) It shall be an offence for any licensee to re-employ any person who has suffered from an infectious disease without first obtaining a medical certificate showing that the said person is no longer suffering from that infectious disease or any other infectious disease.

(13) It shall be an offence for any licensee to allow any room to be occupied knowing such room to have been previously occupied within 6 weeks by any person suffering from an infectious disease unless the room and all its contents have been fumigated to the satisfaction of the medical officer of health or the sanitary inspector.

(14) It shall be an offence for any licensee to employ or suffer or allow to be employed any person in the preparation, cooking, storage or service for sale of any food or drink or in the washing, cleansing or rinsing of any glasses, crockery, cutlery or utensils used in such preparation, cooking, storage or service who is suffering from any skin eruption or who is wearing any unclean or medicated bandages.

(15) The licensee shall be responsible for the due observance of the provisions of these Regulations and any breach thereof committed by any of his agents, servants, or employees shall be deemed to be a breach of the Regulations by the licensee.

Display of Regulations and licence

14.-(1) The licensee of an hotel, private hotel, boarding house, restaurant or refreshment bar shall display in a prominent place therein his licence and a copy of the portions of these Regulations appertaining to his premises.

(2) The local authority shall provide a copy of the appropriate portions of these Regulations for this purpose to any licensee free of charge.

Inspection

15.-(1) The medical officer of health or sanitary inspector may at any reasonable time enter and inspect any hotel, private hotel, boarding house, restaurant or refreshment bar.

(2) It shall be an offence to hinder or obstruct the medical officer of health or sanitary inspector in the course of such inspection.

Penalty

16. Any person convicted of an offence under the provisions of these Regulations shall be liable on conviction in the case of a first offence to a fine not exceeding \$20, and in the case of a second offence to a fine not exceeding \$40, and in the case of a subsequent offence to a fine not exceeding \$100 or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment, and in the case of a continuing offence, to a further fine not exceeding \$4 for each

day during which the offence continues.

SCHEDULE 1
(Regulation 4 (2))

FORM OF APPLICATION FOR LICENCE FOR PREMISES TO BE USED AS AN HOTEL,
PRIVATE HOTEL, BOARDING HOUSE, RESTAURANT OR REFRESHMENT BAR

To the Local Authority for the Sanitary District

I, of

hereby apply for a permit to use premises situated at

in the district of for the purpose of

Dated thisday of....., 19.....

.....
Signature of Applicant.

For office use only

Premises inspected and found satisfactory.

Date..... 19....

.....
*Medical Officer of Health or
Health Inspector.*

SCHEDULE 2
(Regulation 4 (6))

LOCAL AUTHORITY FOR THE URBAN/RURAL SANITARY
DISTRICT OF.....

LICENCE
for

HOTEL
PRIVATE HOTEL
RESTAURANT
BOARDING HOUSE
REFRESHMENT BAR

Licence No.....

Name.....
Premises at

This permit is for period ending 31st December, 19.....

Date, 19....

.....
for the Local Authority.

**SECTION 40 - PUBLIC HEALTH (HOTELS, RESTAURANTS
AND REFRESHMENT BARS) (SUVA) REGULATIONS**

By Regulations made by the Central Board of Health on 5 February 1964 and approved by the Governor in Council, the Public Health (Hotels, Restaurants and Refreshment Bars) Regulations were applied to the city of Suva with effect from 1 April 1964 with the following modifications:-

(a) regulation 3: By deleting the words "to the city of Suva" in paragraph (a);

(b) regulation 7 -

(i) by substituting the figures and word "10 feet" for the figure and word "8 feet" in paragraphs (1) and (2);

(ii) by inserting the following words immediately before the semi-colon at the end of sub-paragraph (b) of paragraph (10):-

"and near every such wash-hand-basin an adequate quantity of approved paper towels shall be provided at all times";

(c) regulation 8 -

(i) by substituting the figures and word "10 feet" for the figure and word "8 feet" in paragraphs (1) and (2);

(ii) by inserting the following words immediately before the semi-colon at the end of sub-paragraph (b) of paragraph (10):-

"and near every such wash-hand-basin an adequate quantity of approved paper towels shall be provided at all times"

(d) regulation 9 -

(i) by substituting the figures and word "10 feet" for the figure and word "8 feet" in paragraphs (1) and (2);

(ii) by inserting the following words immediately after the word "served" at the end of paragraph (9):-

"and near every such wash-hand-basin an adequate quantity of approved paper towels shall be provided at all times".

SECTION 40 - PUBLIC HEALTH (HOTELS, RESTAURANTS AND REFRESHMENT BARS) (LAUTOKA) REGULATIONS

By Regulations made by the Central Board of Health on 22 August 1962 and approved by the Governor in Council, the Public Health (Hotels, Restaurants and Refreshment Bars) Regulations were applied to the town of Lautoka with effect from 1 October 1962 except that, in paragraph (a) of regulation 3, the words "and Lautoka" are deleted.

SECTION 49 - PUBLIC HEALTH (HAIRDRESSERS AND CHIROPODISTS) REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title and application
2. Interpretation
3. Licence required
4. Transfer of licence
5. Cancellation of licence
6. Display of Regulations
7. Construction of shop
8. Conditions of fitness
9. Personal cleanliness
10. Sterilization
11. Instruments; Shaving appliances
12. Sponges, etc.
13. Tattooing
14. Infected persons
15. Spitting
16. Penalty
17. Exemption

Regulations 24 August 1954, 18 April 1957

Short title and application

1. These Regulations may be cited as the Public Health (Hairdressers and Chiropodists) Regulations, and shall apply throughout Fiji except the cities of Suva and Lautoka.

Interpretation

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

"chiropodist" includes any person who for hire or reward manicures, pedicures or in any way treats the hands, skin, finger-nails, toe-nails or feet of any person or tattoos the skin of any person;

"chiropodist's shop" means any premises in which any chiropodist carries on business;

"disinfecting solution" means a solution of any disinfectant equivalent to a bactericidal strength of a five per cent solution of carbolic acid;

"hairdresser" means any person who for hire or reward is engaged in the business of hairdressing;

"hairdresser's shop" means any premises in which any hairdresser carries on business;

"licence" means a licence granted under these Regulations.

Licence required

3.-(1) it shall be an offence for any person to use any premises as a hairdresser's shop or chiropodist's shop unless such premises are for the time being licensed for the purpose under these Regulations:

Provided that in the case of premises used as a hairdresser's shop or chiropodist's shop at the commencement of these Regulations, it shall be a sufficient compliance with this regulation if such premises are licensed within three months of such date.

Application

(2) Application for the issue or renewal of a licence shall be made in writing to the local authority, setting out the full name of the applicant, the address of the premises, the nature of the applicant's tenancy, and the full name of any manager or other person to be responsible for the management of the premises as a hairdresser's shop or chiropodist's shop, as the case may be.

(3) Such further particulars shall be given by the applicant as the local authority may in any case reasonably require.

Refusal

(4) The local authority may refuse to issue or renew any licence in respect of premises which do not conform with the requirements of these Regulations.

(5) The local authority may refuse to issue a licence to or renew the licence of any person who has during the period of twelve months immediately preceding the date of application for such

issue or renewal been convicted on at least two occasions under these Regulations.

Fee

(6) The fee for the issue or renewal of a licence shall be \$4 and shall be paid by the applicant -

(i) if the local authority is a town council, to the town council for the revenue of such town council;

(ii) if the local authority is not a town council, to the Chief Accountant or his agent, for the Consolidated Fund.

(Substituted by Regulations 18 April 1957.)

Duration

(7) A licence shall unless sooner cancelled or suspended remain in force until 31 December next following the date on which it is expressed to come into force.

Register

(8) The local authority shall cause to be kept a register of applications made and licences issued, renewed or transferred.

Transfer of licence

4. The local authority may on the application in writing of the holder of a licence transfer that licence to another person by endorsing thereon the name of the transferee and such other particulars as may be necessary consequent upon the transfer:

Provided that the local authority may refuse to transfer a licence to any person who during the period of twelve months immediately preceding the date of application of such transfer has been convicted on at least two occasions under these Regulations.

Cancellation of licence

5.-(1) If it appears that any premises licensed as a hairdresser's shop or as a chiropodist's shop are not constructed, maintained, kept or conducted in accordance with the provisions of these Regulations, the local authority, after giving due notice of its intention so to do, and of the grounds of such intention, to the person named in the licence as the holder thereof, and after affording such person a reasonable opportunity of remedying any breach of the Regulations stated in such notice, may, on being satisfied that any such breach has not been remedied, cancel the licence.

(2) No such cancellation shall prevent the making of a fresh application by the same or any other person for a licence in respect of the same premises.

(3) The local authority shall give notice in writing of such cancellation to the person to whom the licence has been issued or transferred and any manager or other person named therein as responsible for the management of the premises.

(4) Any person whose licence is cancelled under this regulation shall forthwith surrender the

licence to the local authority.

Display of Regulations

6.-(1) Any person keeping or maintaining a hairdresser's shop or chiropodist's shop licensed under these Regulations shall display therein a copy of these Regulations.

(2) Any person who fails to comply with the provisions of this regulation shall be guilty of an offence.

Construction of shop

7. In any hairdresser's shop or chiropodist's shop -

(a) the floor shall be constructed of cement brought to a smooth surface, tiles, well smoothed wood, or any other material to the satisfaction of the local authority;

(b) the internal walls shall be covered by a non-absorbent material having a smooth surface or shall be of wood the boards of which are fixed vertically, smoothly finished and coated with three coats of a washable paint the final coat of which shall be light-coloured;

(c) ceiling, lighting and ventilation shall be suitable to the satisfaction of the local authority;

(d) sufficient and suitable privy accommodation shall be provided for the staff to the satisfaction of the local authority.

Conditions of fitness

8. In every hairdresser's or chiropodist's shop -

(a) the walls, floors, ceilings, its fittings, furniture and equipment shall at all times be maintained in good order and repair and in a thoroughly clean condition to the satisfaction of the local authority;

(b) there shall be provided an adequate supply of hot and cold water and such utensils, appliances and materials as may be necessary to enable persons employed in or about the premises to comply with these Regulations;

(c) there shall be provided at least two receptacles with close fitting lids into one of which all soiled towels and other soiled cloths shall be placed immediately after use and into the other all hair clippings and other trade waste shall be placed as soon as practicable after attendance on a customer.

Personal cleanliness

9.-(1) Before attending to each customer every hairdresser or chiropodist shall thoroughly cleanse his hands, using soap and clean water and when necessary a nail brush and antiseptic for the purpose.

(2) Every hairdresser or chiropodist shall whilst attending to a customer wear a clean properly fitting coat or overall of white or light coloured washable material.

Towels, etc.

(3) Face towels, neck protectors, neck cloths, paper towels and other fabrics which come into direct contact with the customer's skin shall be provided fresh and clean for each customer.

(4) Any person who fails to comply with any of the provisions of this regulation shall be guilty of an offence.

Sterilization

10.-(1) A hairdresser or chiropodist shall sterilize any scissors, needles, or cutting or piercing instruments before using them on any customer by immersion for at least three minutes in a disinfecting solution.

(2) Any hairdresser or chiropodist who fails to comply with this regulation shall be guilty of an offence.

Instruments: Shaving appliances

11.-(1) A hairdresser shall -

(a) cleanse any pot or mug used to contain water for producing a lather in shaving in boiling water immediately after use on any customer;

(b) sterilize any razor blade or comb after use on any customer by immersion in a disinfecting solution for at least three minutes;

(c) keep hair-brushes in a clean condition and immerse them in a disinfecting solution after use on each customer for at least three minutes;

(d) immerse any new shaving brush in a ten per cent solution of formalin for at least thirty minutes and rinse it in clean water before first using it on any customer;

(e) sterilize any shaving brush before use on each customer by immersion of the bristle portion in boiling water for at least three minutes;

(f) not use any soap other than liquid, powder or cream for the purpose of producing a lather in shaving;

(g) brush hair clippers with a sterile brush in order to remove all hair and then wipe them with a sterile cloth soaked with a disinfecting solution before use on each customer.

(2) Any hairdresser who fails to comply with any of the provisions of this regulation shall be guilty of an offence.

Sponges, etc.

12.-(1) A hairdresser or chiropodist shall not use on any customer any sponge or powder puff nor apply any substance in block form to any customer's skin.

Bleeding

(2) When a hairdresser or chiropodist arrests bleeding he shall do so only by a suitable styptic in powder or liquid form applied on sterilized cotton wool.

(3) Any hairdresser or chiropodist who acts in contravention of any of the provisions of this regulation shall be guilty of an offence.

Tattooing

13.-(1) Before tattooing the skin of any person a chiropodist shall efficiently cleanse the area of the skin to be tattooed with surgical or methylated spirit and shall apply an antiseptic solution to the same area.

(2) Any chiropodist who fails to comply with the provisions of this regulation shall be guilty of an offence.

Infected persons

14.-(1) No hairdresser or chiropodist shall accept any person as a customer who is suffering from any infectious or contagious rash or eruption of the face, neck or scalp.

(2) No hairdresser or chiropodist suffering from any infectious or contagious disease or any infectious or contagious rash or eruption shall attend to any customer.

(3) Any hairdresser or chiropodist who acts in contravention of any of the provisions of this regulation shall be guilty of an offence.

Spitting

15. It shall be an offence for any person to spit in any part of a hairdresser's or chiropodist's shop.

Penalty

16. Any person convicted of an offence under these Regulations shall be liable to a fine not exceeding \$10.

Exemption

17. Nothing in these Regulations shall be deemed to apply to any person registered under the Medical and Dental Practitioners Act or to any person registered under the Nurses and Midwives Act, or to any person attending as a medical student at the Fiji School of Medicine, or attending as a student nurse or probationer nurse at any public hospital or clinic. (*Cap. 255. Cap. 256*)

TABLE OF PROVISIONS

BY-LAW

1. Short title
 2. Interpretation
 3. Permit to keep animal
 4. Conditions may be prescribed
 5. Withdrawal of permit
 6. Penalty
-

By-laws 7 June 1944

Short title

1. These By-laws may be cited as the Lautoka (Animals) By-laws.

Interpretation

2. In these By-laws -

"animal" includes any live horse, mare, gelding, ass, mule, bull, cow, ox, steer, swine, goat or sheep and the young thereof;

"local authority" means the local authority for the urban sanitary district of Lautoka and includes any person authorised by that body;

"sanitary inspector" means any officer for the time being holding the appointment of sanitary inspector to the local authority or his deputy or assistant.

Permit to keep animal

3. No person shall keep or permit to be kept within the urban sanitary district of Lautoka any animal without the permission in writing of the local authority.

Conditions may be prescribed

4. Where the local authority permits any animal to be kept within the urban sanitary district of Lautoka it shall -

(a) prescribe the area of ground necessary for the keeping of such animal; Provided that no animal may be tethered or grazed within 200 feet from any church, school, dwellinghouse, shop, store, factory or workshop or from any road;

(b) prescribe the type of building, if any, for the housing of such animal;

(c) prescribe the measures to be taken for the removal of any animal excreta or other filth and for the maintenance of the premises in a clean and sanitary condition.

Withdrawal of permit

5. The local authority may withdraw any permit to keep any animal within the urban sanitary district of Lautoka if, in the opinion of the local authority or sanitary inspector, the keeping of such animal constitutes a nuisance or a danger to health.

Penalty

6. Every person who offends against any of the provisions of these By-laws shall on conviction be liable to a fine not exceeding \$10 and in the case of a continuing offence to a further fine not exceeding \$4 for each day during which the offence continues after such conviction.

SECTION 52 - LAUTOKA (GARBAGE DISPOSAL) BY-LAWS

TABLE OF PROVISIONS

By-laws 11 May 1944, 31 May 1977

BY-LAW

1. Short title
2. Interpretation
3. Garbage pans to be provided
4. Garbage pans supplied by local authority
5. Compulsory use of garbage pans
6. Accumulation on vacant lands, etc.
7. Removal of accumulations
8. Removal of garbage pans
9. Notification
10. Saving
11. Penalties

Short title

1. These By-laws may be cited as the Lautoka (Garbage Disposal) By-laws.

Interpretation

2. In these By-laws -

"local authority" means the local authority for the urban sanitary district of Lautoka and includes any person authorised by that body;

"sanitary inspector" means any officer for the time being holding the appointment of sanitary inspector to the local authority or his deputy or assistant.

Garbage pans to be provided

3. Every owner or occupier of any house, residence, shop, building, premises or other place in

the urban sanitary district of Lautoka shall provide a sufficient number of garbage pans, each of a capacity of not less than 1 ½ cubic feet and not more than 3 cubic feet, of a type and shape approved by the local authority and provided with tight fitting lids, for the reception of the dust, garbage, ashes and refuse, arising from or existing upon such premises and shall -

(a) at all times keep such garbage pans close covered except when depositing dust, garbage, ashes or refuse therein;

(b) keep the garbage pans and the covers thereof clean and in good repair and condition;

(c) place the garbage pan in a position easily accessible to the Lautoka City Council's garbage collector and, when more than one is necessary, they shall be placed together.

(Amended by By-laws 31 May 1977.)

Garbage parts supplied by local authority

4. The local authority may supply garbage pans to premises within the urban sanitary district of Lautoka and in such case the owner or occupier of the premises shall accept, pay for, and use such pans.

Compulsory use of garbage pans

5.-(1) Every such owner or occupier shall cause all rubbish, garbage, ashes and refuse arising from such premises to be deposited in such garbage pans.

(2) Garbage, rubbish, house-sweepings and other refuse shall not be scattered upon or within the curtilage of any house or building within the urban sanitary district of Lautoka, nor heaped or deposited therein, save in a garbage pan.

Accumulation on vacant lands, etc.

6. No person shall throw or deposit upon any pavement, roadway, vacant land or foreshore or into any stream or creek any filth, ashes, refuse, rubbish or garbage.

Removal of accumulations

7.-(1) The occupier of any premises shall be deemed to have offended against these By-laws where any accumulation of filth, ashes, refuse, rubbish or garbage other than that contained in a garbage pan is found on such premises.

(2) Where there is an accumulation of filth, ashes, refuse, rubbish or garbage on premises of which there are more than one occupier, either in several parts of the premises or in occupation of the whole of the premises either as tenants from year to year, or for any less term, or as tenants at will, all or any one of such occupier shall be deemed to have offended against these By-laws.

(3) Where in the case last mentioned the sanitary inspector has required the owner of the premises either verbally or in writing to remove such accumulation of filth, ashes, refuse, rubbish or garbage and such accumulation is allowed to remain for 24 hours after the notice is given, such owner shall be deemed to have committed an offence against these By-laws.

Removal of garbage pans

8. It shall be the duty of the garbage collector of the Lautoka City Council to remove and empty and replace all garbage pans of the pattern aforesaid at least twice weekly:

Provided that he shall not be required to remove any garbage pan standing at a greater distance than 20 feet from any street.

Notification

9. It shall be the duty of the occupier of any premises whereof the garbage pan is not cleared for over 4 days to notify the sanitary inspector of the local authority of such failure to clear.

Saving

10. In any prosecution for the breach of any of these By-laws, in respect of garbage pans, it shall be a good defence if the defendant proves that he was unable to comply with the requirements of such By-laws by reason of circumstances attributable to any war in which Her Majesty may be engaged:

Provided the occupier or owner of any premises shall provide a substitute garbage pan of a type and measurement to the satisfaction of the sanitary inspector of the local authority.

Penalties

11. Every person who offends against any of the foregoing by-laws shall upon conviction be liable for every such offence to a fine not exceeding \$10 and in the case of a continuing offence to a further fine not exceeding \$4 for each day during which the offence continues after such conviction.

SECTION 52 - PUBLIC HEALTH (SANITARY SERVICES) REGULATIONS

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5. Works to be undertaken by-local authority
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19. Frequency of service
20. Dumping of garbage at the local authority's dump
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PART V - MISCELLANEOUS

22. Obstruction an offence
23. Penalty

*Regulations 28 June 1940, 15 November 1951, 5 March 1959, 15 August 1961,
Legal Notices Nos. 12 of 1970, 76 of 1971, 87 of 1975, 51 of 1979*

PART I - PRELIMINARY

Short title

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

Interpretation

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

"garbage" includes household refuse, empty tins, rubbish, refuse and tradewaste other than nightsoil;

"nightsoil" includes human faeces, human urine and matter mixed with them or either of them;

"sanitary inspector" means an inspector appointed under the Act.

Application

3. The Board may, by notice in the Gazette, apply the whole or any part of these Regulations to any particular sanitary district or to any defined portion thereof, and thereupon the same shall be in force in that district or defined portion thereof accordingly from such date as may be specified in the notice.

PART II - ADMINISTRATION

Execution by local authorities

4. The local authority for the district shall superintend, enforce and be charged with the execution of these Regulations within such district.

Works to be undertaken by local authority

5. The local authority shall undertake itself or contract for the following works within its district or defined portion thereof:-

(a) the removal, collection and disposal of nightsoil from houses and premises;

(b) the removal, collection and disposal of garbage from houses and premises.

Fees to be charged for nightsoil or garbage disposal services

6.-(1) Where a local authority has instituted a nightsoil or garbage removal service it may charge

(a) in respect of a nightsoil removal service, a fee not exceeding \$24 for every period of three months for residential buildings and a fee not exceeding \$45 for every period of three months for other premises;

(b) in respect of a garbage removal service, a fee not exceeding \$6 per bin for every period of three months,

and such fee shall be paid in advance to the local authority by the owner of any house, building or other premises in respect of which any latrine, privy or garbage receptacle is used or shall have been prescribed whether such latrine, privy or garbage receptacle is in use or not.

(2) Any fee charged under the provisions of paragraph (1) shall be by a demand note served upon the owner of the premises stating the period in respect of which the fee is charged and the date by which it shall be paid.

(3) The owner of any premises who has satisfied the local authority that adequate arrangements have been made for the collection and disposal of nightsoil or garbage from his premises may be exempted by the local authority from payment of such part of the fee not exceeding three-fourths thereof as it shall think fit.

(4) Where any premises have remained unoccupied for not less than one month the local authority shall, on application of the owner, make a proportionate adjustment of the fee payable,

or a proportionate refund of the fee paid, under this regulation.

(5) If any fee due and payable under this regulation is not paid to the local authority within the time specified in the demand note it shall be lawful for a magistrate, upon written request made by the local authority, to issue and cause to be executed a warrant levying the amount with costs by distress and sale of the goods and chattels of the owner found on the premises, and the warrant shall authorise the person executing the same or his assistant to remain on the premises during the interval between the distress and the sale whether or not such authority is expressed in the warrant. The provisions of this paragraph shall be without prejudice to the rights of the local authority to recover such fee by ordinary civil proceedings.

(6) Notwithstanding the other provisions of this regulation, it shall be lawful for a local authority, with the approval of the Board, by resolution, to waive the whole or any part of any fee due under this regulation and any costs incurred for the purpose of recovering that fee, if it appears to the local authority that such fee is irrecoverable or that it should be written off on the grounds of the poverty of the owner; and if a warrant has been issued in respect thereof the court shall, upon being notified of such resolution, cancel the warrant.

(Regulation substituted by Regulations 29 July 1975; paragraph (1) substituted by Legal Notice 51 of 1979.)

Accounts

7.-(1) A local authority shall keep books of account in which shall be entered a record of all moneys received and expended by it in connection with its services for the removal of nightsoil or garbage.

(2) All moneys received by a local authority under regulation 6 shall be paid into such bank or banks as defined in the Banking Act, as it may from time to time decide. *(Cap. 212.)*

(3) The books of account shall be open to inspection by the Auditor-General, and by the Secretary of the Board or any person authorised by it.

(4) Before 1 April in each year the local authority shall deliver to the Auditor-General a statement of account, to be known as the Sanitary Services Account, showing all moneys received and expended in respect of its nightsoil or garbage removal services for the year ended on the immediately preceding 31 December, together with a balance sheet thereof as at that date.

(5) The books of account and the Sanitary Services Account and balance sheet referred to in paragraph (4) shall be audited by the Auditor-General who shall, within ninety days of the completion of his audit, forward certified copies of the same, together with his report thereon, to the Secretary of the Board.

(6) A local authority shall cause to be exhibited in a conspicuous place at its office the audited Sanitary Services Account, the audited balance sheet and the Auditor-General's report on such documents, within fourteen days of the receipt by it of the same.

(7) A local authority shall before 21 September in each year submit to the Board a detailed

estimate of its revenue and expenditure in connection with its services for the removal of nightsoil or garbage for the year commencing on 1 January then next following. No expenditure shall be incurred by a local authority in excess of such estimate except with the prior written approval of the Board.

(8) A local authority may, with the approval of the Board, transfer to a council, as defined in the Local Government Act, all or any of the moneys in its possession. (*Substituted by Regulations 29 July 1975.*) (*Cap. 125.*)

PART III - REMOVAL AND DISPOSAL OF NIGHTSOIL

Method of disposal

8. The local authority shall cause all nightsoil to be disposed of by burial in the earth at a depot or disposal ground approved by the Board and in the manner prescribed by these Regulations, or by any other method approved by the Board.

Nightsoil pans

9. Pans for the removal of nightsoil shall be provided and maintained by the local authority and shall be of a type approved by the Board.

Who may remove nightsoil

10. The nightsoil pan in any closet shall not be removed by any person other than the servant or contractor of the local authority or the servant of such contractor.

Removal of parts

11. The servant or contractor of the local authority, or the servant of such contractor, shall twice at least every week, and more often if considered necessary by the local authority, remove the pan of every closet with its contents, and shall at the same time replace such pan with a clean pan and shall convey the removed pan with its contents, properly covered, in a closed vehicle or other vehicle approved by the Board, to the approved disposal ground or depot.

Emptying, spilling or depositing nightsoil

12. Any person who empties, spills or deposits nightsoil elsewhere than at the approved disposal ground or depot shall be guilty of an offence against these Regulations.

Right of access to closets

13. For the purpose of removing nightsoil from any pan closet, the servant or contractor of the local authority, or the servant of such contractor, may visit each pan closet and do such work as may be necessary at any time during the hours appointed or in accordance with any contract or at any time which may be specified by the local authority for the removal of nightsoil from pan closets.

Access to premises

14. The owner of premises shall provide an easy means of access to such premises for the removal of nightsoil.

Management of nightsoil disposal depot

15. Before any land is first used by, or on behalf of, a local authority for disposal of nightsoil by burial, the following requirements shall be complied with by such local authority:-

(a) a report shall be obtained from the medical officer or sanitary inspector certifying -

(i) that the disposal of nightsoil in the land selected will not lead to the contamination of any water used for drinking, domestic, manufacturing or other purposes, or for animals;

(ii) that the arrangements for access are such as to ensure safe and clean removal of nightsoil to such disposal ground;

(iii) that the soil is suitable for the purpose of humification and nitrification of nightsoil; and

(iv) that a permanent water supply can be secured on the land;

(b) a plan showing the locality and boundaries of the disposal ground, together with its relation to all water-courses, and to any dwelling within one mile, shall be lodged with the Board.

Requirements to be complied with

16. In using any disposal ground for burial of nightsoil, a local authority and its contractor, its servant and the servant of the contractor, shall comply with the following requirements:-

(a) no trench whereof the floor is of rock or water-logged shall be used for disposal of nightsoil;

(b) no trench shall be more than two feet or less than eighteen inches in depth, or more than two feet in width, or shall exceed ten feet in length. The nightsoil shall be trenched into the soil in a layer not more than six inches thick, and shall be evenly covered immediately with the soil dug from the succeeding trench. A strip of undisturbed earth, not less than eighteen inches in width shall be left between each two trenches;

(c) ground into which nightsoil has been trenched shall not be used a second time for the purpose within two years except with the written approval of the Board;

(d) a sufficient supply of water shall be provided at the approved disposal ground or depot for cleaning the pans, vehicles and utensils, and all washing water from the pans shall be properly disposed of in a manner approved by the Board;

(e) every pan, after disposal of its contents, and before it again leaves the depot or disposal ground, shall be thoroughly cleansed by the following method -

(i) thoroughly washing and scrubbing in water, then rinsing in clean water, and

finally submerging in a solution of cresol disinfectant for not less than five minutes; the internal and external surface of every pan before it is first used shall be properly covered with well boiled tar, bitumastic paint, or other approved material, and such coating shall thereafter be regularly renewed wherever necessary, so as properly to protect the whole of the pan and to afford a smooth nonadherent surface;

(ii) any other method approved by the Board;

(f) the depot shall be securely fenced on all sides.

PART IV - REMOVAL AND DISPOSAL OF GARBAGE

Disposal of garbage

17. The local authority shall cause all garbage to be disposed of by incineration, controlled dumping, or by any other method approved by the Board.

Garbage pans

18. Garbage pans shall be in accordance with the requirements of Part X of the Public Health Regulations.

Frequency of service

19. All garbage shall be moved at least twice weekly, or more often if considered necessary by the local authority.

Dumping of garbage at the local authority's dump

20. No person other than an authorised officer of the local authority or the contractor of the local authority or the servant of such contractor shall deposit, or cause or suffer the same to be deposited by others, any garbage of any kind at the local authority's dump without permission, in writing, of the local authority.

Garbage receptacles to be placed on the footpath

21. Garbage receptacles shall be placed on the footpath adjoining each property next adjacent to the road taken by the collecting vehicles on such days as the local authority shall prescribe, or if there be no such footpath then immediately in front of such property.

PART V - MISCELLANEOUS

Obstruction an offence

22. Any person who obstructs, molests or hinders a servant of the local authority or the contractor of a local authority or the servant of such contractor in the execution of his duty or who uses violent or threatening language to or attempts in any way whatsoever to intimidate such servant or contractor or who endeavours by bribe, threat or promise to cause any such servant or contractor to neglect his duty shall be guilty of an offence against these Regulations.

Penalty

23. Any person committing a breach of these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10 and in the case of a continuing offence to a further fine not exceeding \$4 for each day during which the offence continues after conviction.

SECTION 52 - PUBLIC HEALTH (SANITARY SERVICES) REGULATIONS

NOTICES UNDER REGULATION 3

APPLICATION OF REGULATIONS - KOROVOU, LAUTOKA, NADI, NASAVUSAVU,
NAVUA, RA, SIGATOKA, SUVA, TAVUA

KOROVOU (TAILEVU)

Legal Notice No. 167 of 1969

1. The Public Health (Sanitary Services) Regulations, except regulations 5 (a) and 8 to 16 inclusive, shall apply to that portion of the Rural Sanitary District of Korovou in the Province of Tailevu described in the Schedule.

SCHEDULE

All land within a distance of three chains from the boundary line of the underlisted roads at Korovou:-

Kings Road from west of the Tailevu Hotel to east of the Public Works Department Depot.

Deepwater Road from its junction with Kings Road to east of the Tailevu School site.

Lodoni Road from its junction with Kings Road to north of the Government Quarters and including the road to the Health Centre.

Legal Notice No. 160 of 1980

2. The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to the portion of the Rural Sanitary District of Korovou described in the Schedule.

SCHEDULE

Extension of Korovou (Tailevu) Garbage Collection Area-Description

All that area of land in the Tikina of Verata in the Province of Tailevu generally known as Korovou and extending twenty metres on either side along part of the existing Garbage

Collection Area between west of the Tailevu Hotel and Public Works Department Depot.

The above described area is more particularly delineated in red on plan P.P. 197 kept in the office of the Director of Lands and Surveyor-General and copies are available for viewing in the office of the Central Board of Health, Suva and the Korovou Rural Local Authority, Korovou.

LAUTOKA

Notice 19 August 1949

1. The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16, inclusive, shall apply to that portion of the Rural Sanitary District of Lautoka described in the Schedule.

SCHEDULE

(a) All that portion of land on the south side of, and not more than 20 chains from the centre of, Drasa Avenue, Lautoka, and bounded on the east and west by Namoli Creek and Golf Links Road respectively.

(b) All that portion of land on the south side of, and not more than 10 chains from the centre of, Drasa Avenue, Lautoka, and bounded on the east and west by Navuto Creek and Cemetery Road respectively.

(c) All that portion of land between the centre of the Queens Road, Lautoka, and the sea foreshore, and bounded on the north and south by Lautoka Wharf and Navuto Creek respectively.

And more particularly delineated on a plan deposited at the office of the Central Board of Health, Government Buildings, Suva.

Legal Notice No. 177 of 1980

2. The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to the portion of the Rural Sanitary District of Lautoka described in the Schedule.

SCHEDULE

Natabua Garbage Collection Area, Lautoka-Description

All that area of Crown land in the Tikina of Vuda in the Province of Ba situated on the left bank of Saru Creek, comprising mainly the Natabua Government Stations and extending in varying widths on either side of Natabua Road measuring to a maximum distance of approximately 1,520 metres south easterly from the junction of Natabua Road and Queens Road.

The above described area is more particularly delineated in red on P.P. 214 kept at the office of

the Director of Lands and Surveyor General, Suva, and copies are available for viewing in the offices of the Secretary to the Central Board of Health Suva, the Lautoka Rural Local Authority, the Commissioner Western Division and the District Officer, Lautoka.

NADI

Notice 14 June 1962

The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to that portion of the Rural Sanitary District of Nadi described in the Schedule.

SCHEDULE

Starting at a point on the eastern side of the Queens Road north of Navoca Fijian village and being the westernmost corner of Galoa C.T. XI/05 folio 261; thence by lines bearing

<i>Degrees</i>	<i>Minutes</i>	<i>Seconds</i>	<i>Distance</i> <i>Links</i>
252	34	-	850.0
242	53	-	900.0
269	36	-	337.8
255	59	-	99.0
234	14	-	461.7
234	40	-	365.6
237	46	-	171.7
327	46	-	460.6
57	46	-	158.6
54	30	-	424.3
54	14	-	535.7
75	59	-	254.6
89	36	-	278.8
62	53	-	750.0
72	34	-	1,400.0
306	16	-	136.5
17	33	-	106.35
339	37	-	128.25
20	32	-	363.9
31	16	-	285.8
51	58	-	245.0
56	26	-	441.65
34	35	-	478.3
315	44	-	99.1
47	10	-	307.2

131	03	-	499.5
52	36	-	220.0
22	28	-	1,074.6
349	30	-	630.0
30	51	30	300.0
310	17	-	1,681.6
40	17	-	460.6
130	17	-	2,375.0
10	58	-	1,444.8
17	09	-	620.2
18	15	-	1,537.9
34	38	-	409.0
32	56	-	2,210.2
312	22	-	911.2
39	05	-	1,903.6
126	20	-	679.2
33	20	-	1,664.4
312	05	-	537.0
42	05	-	1,272.1
129	13	-	946.0
50	10	-	525.5
48	17	-	872.2
73	22	-	551.8
62	06	-	535.6
338	18	-	1,284.4
94	18	-	22.6
122	21	-	658.1
56	47	-	181.3
37	56	-	254.9
63	22	-	370.4
88	14	-	201.6
105	13	-	358.3
162	15	-	244.1
61	53	30	39.2
51	19	30	857.2
39	14	30	1,374.9
37	07	-	1,543.9
36	16	-	512.6
77	08	-	434.0
98	35	-	1,259.6
188	01	-	500.0
278	35	-	1,169.0
257	08	-	330.0
216	16	-	330.0
217	07	-	1,556.9
219	14	30	1,437.1

231	19	30	956.3
241	53	30	616.5
230	03	-	1,106.1
242	06	-	647.7
253	22	-	489.9
228	17	-	769.2
230	10	-	1,261.3
210	26	-	500.0
172	12	-	495.7
211	53	-	327.9
234	50	-	437.4
212	36	-	3,988.8
214	38	-	371.7
198	15	-	1,369.0
197	10	-	550.2
190	58	-	1,899.2
153	37	-	13.7
24	00	-	191.7
117	11	-	700.5
137	35	30	25.0
225	06	-	299.4
196	44	-	233.5
210	45	-	643.2
309	53	30	25.3
233	35	-	1,122.8
235	10	45	650.0
325	10	50	600.0
235	10	45	770.6
225	43	30	148.6
216	16	10	1,857.8
254	40	-	576.0 and
342	23	-	416.7

to the starting point and being as delineated on plan in M.D. 17/17/4 held in the office of the Central Board of Health in Suva.

NASAVUSAVU

Notice 14th July 1961

The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to that portion of the Rural Sanitary' District of Nasavusavu described in the Schedule.

SCHEDULE

Starting at a point on the eastern boundary of C.T. 5632 being 4 chains north of the northern side of the Naveria-Savurekareka Road thence in a southerly direction and following the eastern boundary of said C.T. 5632 by line bearing 159 degrees 30 minutes distance 20 chains approximately; thence in a westerly direction and crossing said C.T. 5632 and the Nabouto Hospital grounds by line bearing 249 degrees 31 minutes distance 17 chains approximately to a creek; thence in a north-westerly direction and following the said creek downstream for approximately 4 chains to a point being distant 4 chains south-east from the southern side of the Naveria-Savurekareka Road; thence in a south-westerly direction for approximately 23 chains by a line parallel to and distant 4 chains south of the southern side of the Naveria-Savurekareka Road; thence in a northerly direction for approximately 3 chains to the westernmost corner of Native Lease 2136 on the Wai Ko Bau Creek (Lot 1 on plan SS. 103); thence in a north-easterly direction and following the Wai Ko Bau Creek for approximately 123 links to the southern side of the Naveria-Savurekareka Road; thence in a westerly direction and following the south side of the Naveria-Savurekareka Road for a distance of approximately 16 chains to the north-eastern corner of Native Lease 33/372 (Lot 2 on plan SS. 82); thence generally southerly and following the eastern boundaries of said Native Lease 33/372 and Native Lease 36/180 (Lot 1 on plan SS. 89) by lines bearing 150 degrees 15 minutes distance 350 links approximately 109 degrees 38 minutes distance 2613 links 118 degrees 14 minutes distance 2195 links and 187 degrees 22 minutes distance 468.3 links to the southern corner of said Native Lease 36/180 and being a point on the eastern boundary of the Valeci Government Station block (plan SS. 84); thence in a southerly direction and following the eastern boundary of the Valeci Government Station by lines bearing 160 degrees 43 minutes distance 817.7 links 223 degrees 08 minutes distance 430.6 links and 210 degrees 51 minutes distance 250 links; thence in a westerly direction and crossing the Valeci Government Station block and Public Works Department block by a line bearing 270 degrees 00 minutes distance 19 chains approximately to a creek; thence in a northerly direction and following the said creek downstream for approximately 10 chains to a point being 4 chains south of the southern boundary of the Naveria-Savurekareka Road; thence in a westerly direction for approximately 21 chains and following a line parallel to and distant 4 chains south of the Naveria-Savurekareka Road to the eastern boundary of Lot 50 on D.P. 2196; thence in a south-westerly direction and following the eastern boundaries of lots 50 to 56 on D.P. 2196 by lines bearing 194 degrees 57 minutes distance 450 links approximately and 200 degrees 32 minutes distance 219.6 links to the southern corner of said lot 56 on D.P. 2196 (C.T. 10375); thence in a south-easterly direction by a line bearing 110 degrees 32 minutes distance 150 links to a point being 400 links east of the eastern side of the Savusavu-Buca Bay Road; thence in a general southerly direction for approximately 24 chains by a line parallel to and distant 4 chains east of the eastern side of the Savusavu-Ruca Road; thence in a westerly direction for a distance of 9 chains crossing the Savusavu-Buca Bay Road to a point 4 chains west of its western boundary; thence in a general northerly direction for approximately 32 chains by a line parallel to and distant 4 chains west of the Savusavu-Buca Bay Road to a point bearing 290 degrees 32 minutes distance 150 links from the south-western corner of C.T. 9987 (Lot 1 on D.P. 2448); thence by line bearing 110 degrees 32 minutes distance 150 links to the said south-western corner of C.T. 9987; thence in a northerly direction and following the western boundaries of C.T. 9987 and lots 42 to 45 on D.P. 2196 by lines bearing 20 degrees 32 minutes distance 152.9 links and 14 degrees 57 minutes distance 260.0 links to the southern corner of C.T. 10366 (Lot 36 on D.P. 2196); thence by line bearing 328 degrees 55 minutes distance 52.3 links to the

south-eastern corner of C.T. 10365 (Lot 35 on D.P. 2196); thence in a general westerly direction and following the southern boundaries of lots 9 to 35 on D. P. 2196 by lines bearing 238 degrees 55 minutes distance 643.5 links 268 degrees 34 minutes distance 501.5 links and 279 degrees 06 minutes distance 937.4 links to the eastern boundary of C.T. 5483; thence in southerly and westerly directions and following the eastern and southern boundaries of C.T. 5483 and crossing C.T. 3034 by lines bearing 165 degrees 12 minutes distance 457.6 links and 255 degrees 12 minutes distance 650 links approximately to the eastern boundary of C.T. 9985 (Lot 1 on D.P. 2422); thence in southerly, westerly and northerly directions and following the boundaries of said C.T. 9985 by lines bearing 165 degrees 12 minutes distance 250 links approximately 255 degrees 12 minutes distance 250.0 links and 345 degrees 12 minutes distance 439.4 links to the south-eastern corner of an access reserve (Lot 2 on D.P. 2422); thence following the southern side of said access reserve by lines bearing 255 degrees 12 minutes distance 60.6 links 345 degrees 12 minutes distance 507.5 links 302 degrees 15 minutes distance 36.6 links and 259 degrees 19 minutes distance 252.6 links to the north-eastern corner of C.T. 9647 (Lot 21 on D.P. 2197); thence in southerly, westerly and northerly directions and following the boundaries of said C.T. 9647 by lines bearing 177 degrees 30 minutes distance 463.6 links 260 degrees 02 minutes distance 768.0 links 350 degrees 02 minutes distance 305.5 links and 65 degrees 18 minutes distance 380 links approximately to a point approximately 250 links south of the south-eastern corner of C. T. 10265 (Lot 11 on D. P. 2197); thence in a northerly direction for 250 links approximately to the said south-eastern corner of C.T. 10265; thence in a westerly direction and following the southern boundaries of Lots 1 to 11 on D.P. 2197 by lines bearing 263 degrees 21 minutes distance 695.1 links and 287 degrees 08 minutes distance 258.1 links to the left bank of the Dogodamu Creek; thence in a southerly direction and following the said left bank of the Dogodamu Creek upstream for approximately 60 links to the south-eastern corner of Lease 56364 (Lot 1 on D.P. 1791); thence in a westerly direction and following the southern boundaries of Lots 1 to 5 on D.P. 1791 by line bearing 287 degrees 08 minutes distance 570 links to the south-western corner of Lease 68941 (Lot 5 on D.P. 1791); thence in a southerly direction for approximately 150 links to a point being 4 chains to the south of the southern boundary of the NaveriaSavurekareka Road; thence in a westerly direction for a distance of approximately 9 chains by a line parallel to and distant 4 chains south of the Naveria-Savurekareka Road to a point being approximately 250 links south of the south-eastern corner of C.T. 5678; thence in a northern direction for approximately 250 links to the said south-eastern corner of C.T. 5678; thence in a westerly direction and following the boundaries of C.T. 5678 and Lease 46693 (Lots 2 and 3 on D.P. 1792) by lines bearing 255 degrees 38 minutes distance 303.1 links 165 degrees 38 minutes distance 98.5 links 255 degrees 38 minutes distance 100 links and 245 degrees 38 minutes distance 100 links to the south-western corner of said Lease 46693; thence in a northerly direction following the western boundary of Lease 46693 and crossing the Naveria-Savurekareka Road by line bearing 335 degrees 38 minutes distance 350 links to high water mark of the sea coast; thence in a general easterly direction and following high water mark of the sea coast and including all reclamations to the northernmost corner of Native Lease 33/457 (Lot 1 on plan SS. 82); thence continuing in an easterly direction by a line parallel to and distant 4 chains north of the northern boundary of the Naveria-Savurekareka Road to the eastern boundary of C.T. 5632 and being the starting point and being delineated for reference purposes on plan D.O. 213 deposited in the office of the Director of Lands. L.D. 33/89.

NAVUA

Notice 12 January 1956

The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to those portions of the Rural Sanitary District of Navua described in the Schedule.

SCHEDULE

All land situated not more than four chains from the boundaries on both sides of the Queens Road commencing at the Queens Road bridge over the Navua River to the junction of the Queens Road with the road to Naitonitoni, and the Naitonitoni Road from the junction with the Queens Road to the sea coast at Naitonitoni.

RA

Legal Notice No. 138 of 1971

The Public Health (Sanitary Services) Regulations, except regulation 5 (a) and regulations 8 to 16 inclusive, shall apply to that portion of the Rural Sanitary District of Ra described in the Schedule.

SCHEDULE

All that land situated in the Tikina of Rakiraki in the province of Ra, including the localities known generally as Rakiraki, Colasi, Vaileka, Katudrau and Penang.

This area is more particularly delineated on plan P. P. 89 lodged in the office of the Director of Lands, Suva and in the Office of the Ra Rural Local Authority at Health Office, Vaileka, Ra.

SIGATOKA

Notice 18 August 1953

The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to that portion of the Rural Sanitary District of Sigatoka described in the Schedule.

SCHEDULE

(a) All that portion of land not more than four chains wide from either side of the centre line of the Government Road and extending in a general southerly direction from the

mouth of the Rogorogo Creek to the junction of the Government Road and the road to the Koromumu Rural Hospital.

(b) All those portions of land contained in Lawaqa Government Station and Nakoromumu leaseholds numbers one and two.

(c) All that portion of land between the Fiji Sugar Corporation Limited's tramline reserve and the left bank of the Sigatoka River and extending for a distance of 11 chains south of the Sigatoka Bridge.

And more particularly delineated on plan N1280 deposited at the office of the Central Board of Health, Government Buildings, Suva.

SUVA

Notice 17 February 1955

1. The Public Health (Sanitary Services) Regulations, other than paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to those portions of the Rural Sanitary District of Suva described in the Schedule.

SCHEDULE

All land situated not more than 4½ chains from the centre line of those sections of Princes Road and the Queens Road and those areas of land within the boundaries of the City of Suva as described below -

(a) That section of Princes Road situated between the Suva City boundary and the 4-mile peg.

(b) That section of the Queens Road situated between the west bank of the Tamavua River and the 5-mile peg.

(c) That section of road from the Queens Road to the Ballantine Memorial School and known as Delainavesi Road.

(d) All that portion of land situated within the Government House boundaries.

(e) All that portion of land situated within the Suva Wharf boundaries.

Notice 12 July 1960

2. The Public Health (Sanitary Services) Regulations shall apply to the area of the Rural Sanitary District of Suva described in the Schedule.

SCHEDULE

Starting at a point at the intersection of the northern side of the Queens Road with the right bank of, the Lami River being also the easternmost corner of Lot 9 section 12 Lami Subdivision, as shown on Lands Department plan number S. 1080;

thence in a general north-westerly direction, following the right bank of the Lami River upstream for a distance of 105 chains more or less to its intersection with the eastern boundary of C.T. 8153;

thence in a southerly and south-westerly direction, following the eastern boundaries of Certificate of Title 8153, 9595, 9596 and the western boundary of section 11, Lami Subdivision by straight lines bearing 175 degrees 57 minutes 30 seconds for a distance of 766.36 links more or less to an iron peg bearing -

	206	degrees	03	minutes	30	seconds	for	a	116.0	
							distance of			links
	210	"	59	"	30	"	"	"	356.7	"
	202	"	48	"	30	"	"	"	576.0	"
	208	"	20	"	30	"	"	"	294.4	"
	221	"	01	"	30	"	"	"	429.2	"
	233	"	13	"	20	"	"	"	182.69	"
	204	"	13	"	30	"	"	"	317.0	"
	210	"	35	"		"	"	"	252.68	"
	231	"	31	"	30	"	"	"	294.45	"

to an iron peg on the northern side of the Queens Road;

thence in a south-easterly and easterly direction following the northern side of the Queens Road for a distance of 66 chains more or less to the starting point. And being the same as is more particularly delineated on Lands Department plan numbers S. 1103, S.1113, S. 1101, S. 1108, S. 1080, S. 1081, S. 1094, D.P. 2313 and D.P.1936 lodged in the office of the Department of Lands, Mines and Surveys at Suva.

Notice 5 October 1966

3. The Public Health (Sanitary Services) Regulations, other than paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to that portion of the Rural Sanitary District of Suva described in the Schedule.

SCHEDULE

Nasinu Garbage Disposal Area

Commencing at the southernmost corner of lot 1 on plan S. 1044; thence westerly for a distance of 10 links to the eastern boundary of the Kings Road; thence generally northerly following the

eastern boundary of the said Kings Road for a distance of approximately 16½ chains to a point directly opposite the southernmost corner of lot 2 on plan S. 1087; thence westerly crossing the said Kings Road to the said southernmost corner of lot 2 on plan S. 1087; thence generally westerly and northerly following the western and northern boundaries of lots 2 & 1 on plan S. 1087 to the northernmost corner of lot 1 on plan S. 1087; thence north-easterly by a direct line to a point on the left bank of the Samabula River; thence following the left bank of the said Samabula River upstream to its junction with the left bank of Waini-tarawau Creek; thence following the left bank of the said Waini-tarawau Creek upstream to the westernmost corner of lot 5 on plan R. 1730; thence generally north-easterly by a straight line to the northernmost corner of lot 29 on plan R. 1745; thence generally southerly following the eastern boundaries of lots 29, 32, 30 and 31 on plan R.1745 to the north-western corner of lot 26 on plan R. 1745; thence generally north-easterly following the northern boundaries of lots 26, 11 & 27 on plan R. 1745 to a point on the north-western boundary of lot 27 on plan R. 1745, being also the south-eastern corner of lot 36 on plan R. 1771; thence generally north-easterly following the north-western boundaries of lot 35 on plan R.1771 to a point on the right bank of a creek; thence by a straight line and crossing the said creek to the north-western corner of lot 12 on plan R. 1761; thence following the northern boundaries of lots 12, 13 & 13A on plan R. 1761 to the north-eastern corner of lot 13A on plan R. 1761; thence by a straight line to the north-western corner of lot 14 on plan R. 1762; thence by a straight line to the northernmost corner of lot 145 on plan R. 756; thence by a straight line to the westernmost corner of lot 147 on plan R. 756; thence following the north-western boundary of lot 147 on plan R. 756 to the right bank of the Nasinu River; thence downstream following the right bank of the said Nasinu River to the north-western corner of lot 82 on plan R. 695; thence generally south-westerly following the north-western boundary of lot 82 on plan R. 695 to the northernmost corner of lot 74 on plan R. 695; thence by a straight line to a point directly opposite the south-eastern corner of lot 7 on Deposited Plan No. 3055 being on the southern boundary of a 52 feet wide access reserve; thence following the southern boundary of the said 52 feet wide access reserve to a point directly opposite the south-western corner of lot 3 on Deposited Plan No. 3055; thence by a straight line to the southernmost corner of lot 59 on plan R. 1762; thence by a straight line to the south-western corner of lot 57 on plan R. 1762; thence by a straight line to the south-eastern corner of lot 26 on plan R. 1839; thence following the southern boundaries of lots 26, 25 & 24 on plan R. 1839 to the south-western corner of lot 24 on plan R. 1849; thence by a straight line to the south-eastern corner of lot 54 on plan R. 1762; thence by a straight line to the north-eastern corner of lot 75 on plan R. 1761; thence generally south-easterly following the eastern boundary of lot 75 on plan R. 1761 to its south-eastern corner; thence generally south-westerly by a straight line to the south-western corner of lot 65 on plan R. 1761; thence north-westerly following the western boundary of lot 65 on plan R. 1761 to its north-western corner; thence generally south-westerly by a straight line to the southernmost corner of lot 28 on plan R. 1761; thence generally southerly by a straight line following the western boundary of lot 1 on plan S. 732 to its south-western corner; thence in an easterly direction for a distance of 10 links to the right bank of Wainivula Creek; thence following the right bank of the said Wainivula Creek to its junction with the left bank of the Samabula River; thence by a straight line crossing the said Samabula River to the south-eastern corner of lot 14 on plan S. 1044, being also a point on the high water mark; thence following the said high water mark to the southernmost corner of lot 1 on plan S. 1044 being the point of commencement.

The above descriptions are more particularly delineated on plan No. P.P. 5 kept in the office of the Director of Lands, Suva, with copies at the Health Office, Suva.

Legal Notice No. 71 of 1968

4. The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to the portion of the Rural Sanitary District of Suva described in the Schedule.

SCHEDULE

All that parcel of land situated in the tikina of Naitasiri, in the province of Naitasiri, contained in the residential lots defined on the following plans deposited at the office of the Registrar of Titles, Suva:-

D.P. 2052, D.P. 2164, D.P. 2315, D.P. 2328, D.P. 2344, having frontage to the underlisted streets situated at Tamavua Heights:-

Pasvali Street
Gomati Street
Naranji Street
Bhimji Street
Wailoku Road.

The Garbage Collection Area is more particularly delineated on plant P.P. 46, lodged at the office of the Director of Lands, Suva and at the office of the Suva Rural Local Authority, Rodwell Road, Suva.

Legal Notice No. 161 of 1980

5. The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive shall apply to the portion of the Rural Sanitary District of Suva described in the Schedule.

SCHEDULE

*Extension of Suva Rural Garbage Collection Area
Extension One*

All that area of land in the Tikina of Naitasiri in the Province of Naitasiri situated between south of Colo-i-Suva Forest Reserve and Kalabo Water Catchment and the existing northern boundaries of Suva Rural Garbage Collection Area.

Extension Two

All that area of land in the Tikina of Naitasiri in the Province of Naitasiri situated on the right bank of Nasinu River near its estuary and bounded on the west by the part of eastern boundaries

of existing Suva Rural Garbage Collection Area, on the south by the high mark of the sea coast, on the east by high water mark of the right bank of Nasinu River.

The above described areas are more particularly delineated in red on plan P.P. 200 kept in the office of the Director of Lands and Surveyor-General and copies are available for viewing in the offices of the Central Board of Health and Suva Rural Local Authority.

TAVUA

Notice 24 July 1948

The Public Health (Sanitary Services) Regulations, except paragraph (a) of regulation 5 and regulations 8 to 16 inclusive, shall apply to that portion of the Rural Sanitary District of Tavua described in the Schedule.

SCHEDULE

All that portion of land in the rural sanitary district of Tavua, the boundaries of which are as follows:-

Commencing at high water mark at the south-west corner of Native Lease No. 5200; thence northerly following high water mark for a distance of four chains; thence easterly following lines parallel to and distant four chains north from the northern side of the Kings Road to a point on the western boundary of Tavua Native Village Reserve; thence south-easterly and northerly following the boundary of the said Reserve to the southern side of the Fiji Sugar Corporation Limited's tramway lease; thence following the southern side of the said tramway lease to the left bank of the Nasivi River; thence following the left bank of the Nasivi River upstream to the eastern extremity of the southern boundary of Tavua Township, Native Grant No. 199; thence following the southern and western boundaries of the said Native Grant to a point on the said western boundary distant four chains south from the southern side of the Kings Road; thence westerly by lines parallel to and distant four chains from the said southern side of the Kings Road to a point due south of the north-eastern corner of Vatuveleka Native Lease No. 6314 (R.R. 752); thence northerly to the north-eastern corner of the said lease and crossing the Kings Road to the south-western corner of Native Lease No. 5200, the point of commencement.

SECTION 52 - SUVA (ANIMALS) BY-LAWS

TABLE OF PROVISIONS

BY-LAW

1. Short title
2. Interpretation
3. Permit

4. Conditions may be prescribed
5. Withdrawal of permit
6. Penalty

By-laws 25 January 19.55

Short title

1. These By-laws may be cited as the Suva (Animals) By-laws.

Interpretation

2. In these By-laws -

"animal" means any live horse, mare, gelding, ass, mule, bull, cow, ox, steer, all other large and small cattle and any pig, goat or sheep;

"local authority" means the local authority for the city of Suva, and includes any person authorised by that body;

"sanitary inspector" means any officer for the time being holding the appointment of sanitary inspector to the local authority, or his deputy or assistant.

Permit

3. No person shall keep or permit or suffer to remain within the city of Suva any animal without the permission in writing of the local authority.

Conditions may be prescribed

4. Where the local authority permits any animal to be kept within the city of Suva it -

(a) shall prescribe the area of ground within which such animal shall be kept:

Provided that no animal may be tethered or grazed within 240 feet of any church, school, dwelling house, shop, store, factory or workshop, or from any road;

(b) may prescribe the type of buildings, if any, for the housing of such animal;

(c) may prescribe the measures to be taken for the removal of any animal excreta or other filth and for the maintenance of the premises in a clean and sanitary condition;

(d) may prescribe the period during which any permit shall be valid.

Withdrawal of permit

5. The local authority may withdraw any permit to keep any animal within the city of Suva if in the opinion of the local authority or sanitary inspector the keeping of such animal is likely to constitute a nuisance or danger to health.

Penalty

6. Every person who offends against any of the provisions of these By-laws or fails to comply with any of the conditions prescribed by the local authority under by-law 4 shall on conviction be liable to a fine not exceeding \$10 and in the case of a continuing offence to a further fine not exceeding \$4 for each day during which the offence continues after conviction.

SECTION 57 - SUVA (GARBAGE DISPOSAL) BY-LAWS

TABLE OF PROVISIONS

BY-LAW

1. Short title
2. Interpretation
3. Garbage pans to be provided
4. Compulsory use of garbage pans
5. Accumulation on vacant lands
6. Removal of accumulations
7. Removal of garbage pans
8. Notification
9. Penalties

By-laws 10 June 1936, 13 August 1941, 11 August 1954, 22 August 1977

Short title

1. These By-laws may be cited as the Suva (Garbage Disposal) By-laws.

Interpretation ,

2. In these By-laws -

"local authority" means the local authority for the urban sanitary district of Suva and includes any person authorised by that body;

"sanitary inspector" means any officer for the time being holding the appointment of sanitary inspector to the local authority or his deputy or assistant.

Garbage pans to be provided

3. Every owner or occupier of any house, residence, shop, building, premises, or other place in the urban sanitary district of Suva shall provide a sufficient number of garbage pans, each of a capacity of not less than 1½ cubic feet and not more than 3 cubic feet of a type and shape approved by the local authority, and provided with tight-fitting lids, for the reception of the dust, garbage, ashes and refuse, arising from or existing upon such premises and shall -

(a) at all times keep such garbage pans close covered except when depositing dust, garbage, ashes or refuse therein;

(b) keep the garbage pans and the covers thereof clean and in good repair and condition;

(c) place the garbage pan in a position easily accessible to the Suva City Council's garbage collector and, when more than one is necessary, they shall be placed together;

(d) cause every garbage pan used in connection with any premises to be inscribed with such distinguishing mark or figures as are necessary to associate it with the premises served.

(Substituted by By-laws 13 August 1941; amended by By-laws 11 August 1954 and 22 August 1977.)

Compulsory use of garbage pans

4.-(1) Every such occupier shall cause all rubbish, garbage, ashes and refuse arising from such premises to be deposited in such garbage pans. *(Amended by By-laws 13 August 1941.)*

(2) Garbage, rubbish, house-sweepings and other refuse shall not be scattered upon or within the curtilage of any house or building within the urban sanitary district of Suva, nor heaped or deposited therein, save in a garbage pan.

Accumulation on vacant lands

5. No person shall throw or deposit on any pavement, roadway, vacant land or foreshore, or into any stream or creek, any filth, ashes, refuse, rubbish or garbage. *(Substituted by By-laws 13 August 1941.)*

Removal of accumulations

6.-(1) The occupier of any premises shall be deemed to have offended against these By-laws where any accumulation of filth, ashes, refuse, rubbish or garbage other than that contained in a garbage pan is found on such premises.

(2) Where there is an accumulation of filth, ashes, refuse, rubbish or garbage on premises of which there are more than one occupier, either in several parts of the premises or in occupation of the whole of the premises either as tenants from year to year, or for any less term, or as tenants at will all or any one of such occupiers shall be deemed to have offended against these By-laws. *(Amended by By-laws 13 August 1941.)*

(3) Where in the case last mentioned the sanitary inspector has required the owner of the premises either orally or in writing to remove such accumulation of filth, ashes, refuse, rubbish or garbage and such accumulation is allowed to remain for 24 hours after the notice is given, such owner shall be deemed to have committed an offence against these By-laws.

Removal of garbage pans

7. It shall be the duty of the garbage collector of the Suva City Council to remove and empty and replace all garbage pans of the pattern aforesaid at least twice weekly:

Provided that he shall not be required to remove any garbage pan standing at a greater distance than 20 feet from any street.

(Amended by By-laws 13 August 1941.)

Notification

8. It shall be the duty of the occupier of any premises whereof the garbage pan is not cleared for over 4 days to notify the sanitary inspector of the local authority of such failure to clear.

Penalties

9. Every person who offends against any of the foregoing bylaws shall upon conviction be liable for every such offence to a fine not exceeding \$10 and in the case of a continuing offence to a further fine not exceeding \$4 for each day during which the offence continues after such conviction.

**SECTION 98 - PUBLIC HEALTH (COMMON LODGING-HOUSES)
REGULATIONS**

TABLE OF PROVISIONS

REGULATION

1. Short title
2. Interpretation
3. Permit
4. Duration of permit
5. Permit not transferable
6. Application for permit
7. Requirements as to premises
8. Conditions to be complied with
9. Responsibility for breach of regulations
10. Revocation, etc., of permit

Schedule - Forms of Permit and Application for Permit

Regulations 14 November 1941

Short title

1. These Regulations may be cited as the Public Health (Common Lodging-houses) Regulations.

Interpretation

2. In these Regulations -

"authority" means a local authority as defined in the Act;

"permit" means a permit granted under the provisions of these Regulations.

Permit

3. No person shall use any premises as a common lodging-house unless he shall first have obtained a permit from the authority entitling him to use them as such, which permit shall be in Form A set out in the Schedule. (*Form A*)

Duration of permit

4. Every such permit shall be annual and shall expire on 31 December in each year.

Permit not transferable

5. No permit shall be transferable without the permission in writing of the authority.

Application for permit

6. Any person desirous of obtaining a permit under these Regulations shall apply to the authority on Form B set out in the Schedule. (*Form B.*)

Requirements as to premises

7. In any premises in respect of which a permit under these Regulations has been granted the following requirements shall be complied with:-

(a) the premises shall be substantially built and the walls, roof and floors shall be in a good state of repair;

(b) partition walls shall not be constructed of corrugated iron, but shall be constructed of wood, concrete, or other material approved by the authority;

(c) in districts outside the city of Suva the external walls may be corrugated iron, provided that such walls shall be lined internally with wood or other material approved by the authority;

(d) there shall be provided a supply of wholesome water for domestic use;

(e) there shall be provided separate privies for each sex at the rate of one privy for every twelve persons or part of twelve persons of either sex ordinarily lodging or residing in the building;

(f) there shall be provided to the satisfaction of the authority sufficient and separate bathroom accommodation for both sexes;

(g) the rooms and staircases and passage ways shall be well lighted and ventilated, and properly ceiled to the satisfaction of the authority;

(h) the inside walls and ceilings of the rooms shall be painted with at least two coats of paint, the final coat of which shall be light coloured; and the paint shall be renewed at

least once in every four years, and in the case of oil paints the walls shall be washed with hot water and soap once at least in every twelve months. Where plaster or the like material is used for the walls or ceiling, the surface of such wall or ceiling may be covered with an approved water paint, and such water paint shall be renewed at least once in every two years;

(i) any room wholly or partly used as a sleeping apartment shall not be occupied at any time by a greater number of persons than will allow forty square feet of unobstructed floor space for each person exceeding ten years of age and thirty square feet for each person of less than ten years of age.

Conditions to be complied with

8. Every person to whom a permit under these Regulations has been granted shall -

(a) maintain all yards, areas or open spaces within the cartilage of the premises, the floors of all rooms, passages and stairs, all windows and painted surfaces at all times in good order and clean and wholesome;

(b) maintain in efficient order and wholesome condition the structure of every privy on the premises and the apparatus of such privy and every drain or means of drainage with which it may communicate;

(c) maintain all means of ventilation provided in connection with any room, passage or privy in the house in efficient order,

(d) keep fully open, for a sufficient period in every day, one window or door at least in every room which may be appointed for use as a sleeping apartment, unless reasonably prevented by the state of the weather or any other sufficient cause;

(e) on receiving from the authority a notice or placard in the English and Fijian and Hindi languages, on which shall be stated the description or number of the room to which the notice or placard may apply, and the maximum number of lodgers permissible in that room under paragraph (i) of regulation 7, put up and maintain the notice or placard in a suitable and conspicuous position in the room, and in such manner that the words and figures in the notice or placard may be clearly and distinctly visible and legible. He shall not wilfully conceal, deface, alter or obliterate any letter or figure in the notice or placard, or injure or destroy the notice or placard;

(f) immediately after he becomes aware that any lodger in the house is suffering from an infectious disease -

(i) notify the medical officer of health;

(ii) adopt all precautions necessary for preventing the spread of the disease;

(iii) permit no other person, except a person in attendance on the lodger, to use or

occupy the same room as the lodger;

(iv) immediately after the removal or recovery of the lodger comply with all proper instructions of the medical officer of health as to the cleansing and disinfection of the room occupied by the lodger and of any articles liable to retain the infection, and he shall not permit such room or such articles to be used by any other person until they have been cleansed and disinfected in accordance with such instructions;

(g) ensure that any room which may be appointed for use as a kitchen, bathroom or scullery shall not be used as a sleeping apartment.

Responsibility for breach of regulations

9. Any person to whom a permit under these Regulations has been granted shall be responsible for the due observance of these Regulations on the premises in respect of which the permit has been granted, and any breach thereof by any person in respect of any such premises shall be deemed to be a breach by the person authorised in respect of such premises.

Revocation, etc., of permit

10. Where any person is convicted of an offence against these Regulations the authority may (in addition to any other penalty imposed) revoke or suspend any permit granted under these Regulations -

SCHEDULE

FORM A
(Regulation 3)

PERMIT FOR PREMISES TO BE USED AS A COMMON
LODGING-HOUSE

Permit Number:

Name:

Premises at:

Date of issue:

Authority

FORM B
(Regulation 6)

FORM OF APPLICATION FOR A PERMIT FOR PREMISES TO BE USED AS A COMMON LODGING-HOUSE

To the as Local Authority for the Sanitary District of I,, of, hereby apply for a permit to use premises situated at, in the district of for the purposes of a common lodging-house.

PARTICULARS

- (a) Name and address of the owner of the house:
(b) Total number of rooms in house and floor area of each room:
(c) Number of rooms for use of lodgers:
(d) Number of occupants permitted by the Regulations in each room used as a sleeping apartment:
(e) Manner of use of each room:
(f) Nature of water supply, bathroom accommodation, kitchen accommodation:
(g) Number and type of privies:

Dated this day of, 19...

Signature of Applicant

SECTION 102 - PUBLIC HEALTH (HOUSES LET AS LODGINGS) REGULATIONS

TABLE OF PROVISIONS

- REGULATION
1. Short title
2. Application
3. Interpretation
4. Permit
5. Duration of permit
6. Permit not transferable
7. Application for permit

8. Particulars to be furnished
 9. Requirements in respect of premises
 10. Conditions to be complied with by owner
 11. Conditions to be complied with by occupier
 12. Number of persons who may use sleeping room
 13. Obstructions
 14. Cleanliness
 15. Copy of Regulations to be exhibited
 16. Entry and inspection
 17. Revocation, etc., of permit
- Schedule - Forms of Permit and Application for Permit

Regulations 14 November 1941, 25 October 1943

Short title

1. These Regulations may be cited as the Public Health (Houses Let as Lodgings) Regulations.

Application

2. These Regulations shall not apply to -

(a) hotels or premises licensed under any Liquor Act for the time being in force;

(b) any house let as lodgings in which the occupier resides and not than one family is lodged. (*Cap. 192.*)

Interpretation

3. In these Regulations -

"authority" means a local authority as defined in the Act;

"lodger" means a person to whom any room or rooms in a house let as lodgings may have been let as a lodging or for his use and occupation.

Permit

4. No person shall keep a house let as lodgings unless he shall first have obtained a permit from the authority entitling him to do so, which permit shall be in Form A set out in the Schedule. (*Form A.*)

Duration of permit

5. Every such permit shall be annual and shall expire on 31 December in each year.

Permit not transferable

6. No permit shall be transferable without the permission in writing of the authority.

Application for permit

7. Any person desirous of obtaining a permit under these Regulations shall apply to the authority on Form B set out in the Schedule. (*Form B.*)

Particulars to be furnished

8. The person applying for a permit under these Regulations shall furnish the following particulars to the authority:-

- (a) the name and address of the owner of the house;
- (b) the total number of rooms in the house and the floor area of each room;
- (c) the total number of rooms let as lodgings;
- (d) the number of occupants permitted by these Regulations in each room used as a sleeping apartment;
- (e) the manner of use of each room;
- (f) the nature of water supply, bathroom accommodation, kitchen accommodation and the number and type of privies.

Requirements in respect of premises

9. In any premises in respect of which a permit under these Regulations has been granted the following requirements shall be complied with:-

- (a) the premises shall be substantially built and the walls, roof and floors shall be in a good state of repair;
- (b) partition walls shall not be constructed of corrugated iron but shall be constructed of wood, concrete, or other material approved by the authority;
- (c) in districts outside the city of Suva the external walls may be corrugated iron provided that such walls shall be lined internally with wood or other material approved by the authority;
- (d) there shall be provided a supply of wholesome water for domestic use;
- (e) there shall be provided separate privies for each sex at the rate of one privy for every twelve persons or part of twelve persons of either sex ordinarily lodging or residing in the building. In addition, separate privy accommodation shall be provided for the use of servants employed on the premises;
- (f) a pit latrine shall not be constructed without permission from the authority;
- (g) there shall be provided to the satisfaction of the authority suitable bathroom and kitchen accommodation adequate for the use of and readily accessible to each family by

whom any part of the house is occupied. In addition separate bathroom accommodation shall be provided for the use of servants employed on the premises;

(h) every kitchen shall be provided with a proper sink fitted inside the kitchen and the arrangements for cooking of food shall be to the satisfaction of the authority;

(i) the rooms and staircases and passage ways shall be well lighted and ventilated and properly celled to the satisfaction of the authority;

(j) any room used as a sleeping apartment shall not be occupied at any time by a greater number of persons than will allow forty square feet of unobstructed floor space for each person exceeding ten years of age and thirty square feet of unobstructed floor space for each person of less than ten years of age.

Conditions to be complied with by owner

10. Every owner of a house let as lodgings shall -

(a) keep in good repair all means of drainage and every privy, sink and bath;

(b) provide and maintain in connection with every tap from which water may be drawn, efficient means for carrying off any waste water from the tap;

(c) provide and maintain adequate means of ventilation for every bath-room, kitchen, and every passage or staircase;

(d) provide and maintain a fire escape to the satisfaction of the authority in all cases where the premises are two or more storeys in height;

(e) keep every common staircase and landing in good repair and wherever practicable provide every common staircase and landing with adequate means of lighting by natural light, and provide adequate means for the artificial lighting of every common staircase;

(f) wherever necessary provide every flight of stairs in every staircase with a sufficient handrail or handrails securely fixed;

(g) where the internal surface or covering of a wall or ceiling or of any woodwork is in an unwholesome condition cause such surface to be so treated to the satisfaction of the authority that this condition shall be remedied.

Conditions to be complied with by occupier

11. Every occupier of a house let as lodgings shall -

(a) keep clean every open space belonging to the premises which is used in common, and every common staircase, landing and passage;

(b) at least once in each year, or more often if the authority considers it necessary,

thoroughly cleanse every part of the premises;

(c) on receiving same from the authority, exhibit in each room appointed to be used as a sleeping apartment, a notice or placard in English and Fijian and Hindi stating the description or number of the room and the maximum number of lodgers permissible in that room. The notice shall be exhibited in a suitable and conspicuous position in the room and in such manner that the words and figures in the notice or placard may be clearly and distinctly visible and legible. The occupier or any lodger shall not wilfully conceal, deface, alter or obliterate any letter or figure in the notice or placard or injure or destroy the notice or placard.

Number of persons who may use sleeping room

12. No occupier of, or lodger in, any room of a house let as lodgings shall suffer or permit more persons to use the same as a sleeping apartment than are permitted by these Regulations.

(Inserted by Regulations 25 October 1943.)

Obstructions

13. The occupier of, or a lodger in, a house let as lodgings, shall not cause any obstruction to be placed in any flight of stairs, passage or other means of escape in the house and the occupier shall cause every door in connection with such means of escape to be so fitted that it can be readily opened.

Cleanliness

14. Every lodger in a house let as lodgings shall keep in a clean and wholesome condition every room, privy, sink and bath to the exclusive use of which he is entitled.

Copy of Regulations to be exhibited

15. A copy of these Regulations, which may be obtained free on application to the authority by the person applying for a permit, shall be exhibited in some conspicuous place on all premises in respect of which a permit under these Regulations has been granted. The holder of a permit shall not wilfully conceal, deface, alter or obliterate any part of the contents of the copy of these Regulations so exhibited.

Entry and inspection

16. The medical officer of health or any sanitary inspector may at all reasonable times enter upon and inspect any premises used or reasonably suspected of being used as a house let as lodgings. Any person who directly or indirectly wilfully hinders or obstructs any such officer or inspector in the course of such inspection shall be deemed to have contravened these Regulations.

Revocation, etc., of Permit

17. Where any person is convicted of an offence against these Regulations the authority may (in addition to any other penalty imposed) revoke or suspend any permit granted under these Regulations.

—————
FORM A
(Regulation 4)
—————

PERMIT FOR PREMISES TO BE USED AS A HOUSE LET
AS LODGINGS

Permit Number:
Name:
Premises at:
Date of Issue:

Authority.

—————
FORM B
(Regulation 7)
—————

FORM OF APPLICATION FOR PERMIT FOR PREMISES
TO BE USED AS A HOUSE LET AS LODGINGS

To the as the Local Authority for the Sanitary District
of

I,, of, hereby apply for a permit to use premises situated at, in the
district of, for the purposes of a house let as lodgings.

PARTICULARS

- (a) Name and address of the owner of the house:
- (b) Total number of rooms in house and floor area of each room:
- (c) Total number of rooms let as lodgings:
- (d) Number of occupants permitted by these Regulations in each room used as a sleeping apartment:
- (e) Manner of use of each room:
- (f) Nature of water supply, bathroom accommodation, kitchen accommodation:
- (g) Number and type of privies:

Dated this day of, 19.....

Signature of Applicant.

SECTION 140 - PUBLIC HEALTH (FORMS) REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title

2. Forms

Schedule -

Form 1 - Notice Requiring Abatement of Nuisance

Form 2 - Summons

Form 3 - Nuisance Order

Form 4 - Nuisance Order to be Executed by Local Authority

Form 5 - Warrant of Magistrate for Entry to Premises

Regulations 17 November 1966

Short title

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

Forms

2. The forms set out in the Schedule shall be used for the purposes specified therein in connection with the carrying out of the provisions of the Act.

SCHEDULE

(Part V, Sections 57, 58, 59, 61, 65, 140)

FORM 1

NOTICE REQUIRING ABATEMENT OF NUISANCE

To [persons causing the nuisance or owner or occupier of the premises at which the nuisance exists, as the case may be].

Take notice that under the provisions of the Public Health Act, the *[describe the local authority]* being satisfied of the existence at *[describe the premises where the nuisance exists]* of a nuisance

being *[describe the nuisance]* do hereby require you within *[specify the time]* from the service of this notice to abate the same *[and to execute such works and do such things as may be necessary for that purpose or and for that purpose to (specify any works to be executed)]* and the said *[authority]* do hereby require you within the said period to do what is necessary for preventing the occurrence of the nuisance and for that purpose to, etc.

Where the nuisance has been abated but is likely to recur, say, being satisfied that, at, etc., there existed recently, to wit on or about the day of the following nuisance, namely *[describe nuisance]* and that although the said nuisance has since the last-mentioned day been abated, the same is likely to recur at the said premises, do hereby require you within *[specify time]* to do what is necessary for preventing the recurrence of the nuisance *[and for that purpose to, etc.]*.

If you make default in complying with the requisitions of this notice *[or if the said nuisance though abated is likely to recur]* a summons will be issued requiring your attendance before a magistrate to answer a complaint which will be made for the purpose of enforcing the abatement of the nuisance or prohibiting the recurrence thereof, or both, and for recovering the costs and penalties that may be incurred thereby.

Dated this day of, 19...

FORM 2

SUMMONS

To A.B. of or to the owner or occupier of *[describe premises]* situated *[insert such description of the situation as may be sufficient to identify the premises]*. You are required to appear before magistrate for at on the day of next at the hour of to answer the complaint this day made to me by that at the premises above-mentioned *[or, at certain premises situate at]* in the district of the *[describe the local authority]* the following nuisance exists *[describe the nuisance and add, where the person causing the nuisance is summoned, and that the said nuisance is caused by the act, default or sufferance of you A.B.]*

Where the nuisance is discontinued but is likely to be repeated, say, to answer the complaint, etc., that at, etc., there existed recently, to wit on or about the day of the following nuisance *[describe the nuisance and add, where the person causing the nuisance is summoned, and that the said nuisance was caused, etc., and although the said nuisance has since the said last-mentioned day been abated or discontinued, that the same or the like nuisance is likely to recur at the said premises]*.

Dated this day of, 19...

Magistrate.

FORM 3

NUISANCE ORDER

To A.B., of or, to the owner or occupier of *[describe premises]* situated *[insert such description of the situation as may be sufficient to identify the premises]*.

Whereas the said A.B. or, the owner or occupier of the premises within the meaning of the Public Health Act, has this day appeared before me to answer the matter of a complaint made by, etc., that at, etc., *[follow the words of complaint in summons or, in case the party charged do not appear, say, whereas it has been now proved to my satisfaction that a summons has been duly served according to the Public Health Act requiring the said A. B. or, the owner or occupier of the said premises to appear this day before me to answer the matter of a complaint made by, etc., that at, etc.]*.

[Any of the following orders may be made or a combination of them as the case seems to require.]

PROHIBITION ORDER NO. 1

Now on proof here had before me that the nuisance so complained of does exist at the said premises *[add, where the order is made on the person causing the nuisance, and that the same is caused by the act, default of sufferance of A.B.]*, I, in pursuance of the provisions of the Public Health Act, do order the said A.B., or, the said owner or occupier within *[specify the time]* from the service of this order according to the said Act *[here specify the nuisance to be abated]* and *[state any works to be executed]*.

And I being satisfied that, notwithstanding the said nuisance may be temporarily abated under this order, the same is likely to recur, do therefore prohibit the said A.B., or, the said owner or occupier from allowing the recurrence of the said or a like nuisance and for that purpose I direct the said A.B. or the said owner or occupier *[here specify any works to be executed]*.

PROHIBITION ORDER NO. 2

Now on proof here had before me that at or recently before the time of making the said complaint, to wit, on, the nuisance so complained of did exist at the said premises, but that the same has since been abated *[add where the order is made on the person causing the nuisance, and that the nuisance was caused by the act, default or sufferance of A.B.]* yet, notwithstanding such abatement, I being satisfied that it is likely that the same or the like nuisance will recur at the said premises do therefore prohibit *[continue as in Prohibition Order No. 1]*.

CLOSING ORDER

Now on proof here had before me that the nuisance is such as to render the dwelling-house

[describe the house] situated at *[insert such a description of the situation as may be sufficient to describe the dwelling-house]* unfit in my judgment for human habitation, I in pursuance of the Public health Act do hereby prohibit the use of the said dwelling-house for human habitation.

Dated this day of, 19....

Magistrate

FORM 4

NUISANCE ORDER TO BE EXECUTED BY LOCAL AUTHORITY

To the *[describe the local authority]*.

Whereas a complaint has been made by that at certain premises situated at in the district of *[describe the local authority]* the following nuisance exists *[describe the nuisance]*.

And it has been now proved to my satisfaction that such nuisance exists, but that no owner or occupier of the premises, or person by whose act, default or sufferance the nuisance is caused, is known or can be found (as the case may be). Now I in pursuance of the provisions of the Public Health Act do *[continue as in any of the orders in Form 3 with the substitution of the name of the local authority for that of A. B. or the owner or occupier]*.

Dated this day of, 19...

Magistrate.

FORM 5

WARRANT OF MAGISTRATE FOR ENTRY TO PREMISES

Whereas A.B. being a person authorised under the provisions of the Public Health Act to enter certain premises *[describe the premises]* has made application to me to authorise the said A.B. to enter the said premises, and whereas I, C.D., am satisfied by information on oath that there is reasonable ground for such entry, and that there has been a refusal or failure to admit to such premises and *[either that reasonable notice of the intention to apply to a magistrate for a warrant has been given or, that the giving of notice of the intention to apply to a magistrate for a warrant would defeat the object of the entry:]*

[Or, am satisfied by information on oath that there is a reasonable cause to believe that there is on the said premises a contravention of the provisions of the Public Health Act, or of a regulation or by-law made under that Act and that an application for admission or notice of an application for a warrant would defeat the object of the entry:]

Now therefore I, the said C.D., do hereby authorise the said A.B. to enter the said premises, and if need be by force, with such assistants as he may require, and there execute his duties under the said Act.

Dated this day of, 19....

Magistrate.

THE GENEVA CONVENTIONS ACT, 1957

5 & 6 ELIZ. 2 c. 52

**THE GENEVA CONVENTIONS ACT (COLONIAL TERRITORIES)
ORDER IN COUNCIL, 1959**

TABLE OF PROVISIONS

PARAGRAPH

1. Citation

2. Extension of Geneva Conventions Act, 1957 to Colonial Territories

3. Interpretation

First Schedule - Territories to which the Act extends

Second Schedule - Exceptions and Modifications to be made in the extension of the Act to the Territories specified in the First Schedule

*Made -----28th July, 1959
Coming into Operation 1st September, 1959*

Citation

1. This Order may be cited as the Geneva Conventions Act (Colonial Territories) Order in Council, 1959.

Extension of Geneva Conventions Act, 1957 to Colonial territories

2. Subject to the exceptions and modifications specified in the Second Schedule, the provisions of the Geneva Conventions Act, 1957 (other than section 4 and subsection (2) of section 8) shall extend to the territories specified in the First Schedule.

Interpretation

3. The Interpretation Act, 1889, shall apply for the purpose of interpreting this Order as it applies for the purpose of interpreting an Act of Parliament.

THE FIRST SCHEDULE
Territories to which the Act extends

Aden Colony.
Bahamas.
Basutoland.
Bechuanaland Protectorate.
Bermuda.
British Guiana.
British Honduras.
British Virgin Islands.
British Solomon Islands Protectorate.
Central and Southern Line Islands.
Cyprus.
Falkland Islands and Dependencies.
Fiji.
Gambia (Colony and Protectorate).
Gibraltar.
Gilbert and Ellice Islands Colony.
Hong Kong.
Kamaran.
Kenya (Colony and Protectorate).
Malta.
Mauritius.
The Federation of Nigeria.
North Borneo.
Pitcairn.
St. Helena.
Sarawak.
Seychelles.
Sierra Leone (Colony and Protectorate).
Somaliland Protectorate.
Swaziland. Tanganyika.
Uganda Protectorate.
The West Indies.

THE SECOND SCHEDULE

Exceptions and modifications to be made in the extension of the Act to the Territories specified in the First Schedule

1.-(1)For the words "United Kingdom" wherever they occur there shall be substituted the word "Territory".

(2) For the words "the Secretary of State", "the Army Council" or "the Board of Trade" wherever they occur there shall be substituted the words "the Governor".*

2.-(1) In subsection (1) of section 1 for the word "felony" there shall be substituted the words "an offence".

(2) In subsection (2) of section 1 the word "'indicted" shall be omitted.

(3) For subsection (3) of section 1 the following subsection shall be substituted:-

"(3) Proceedings for an offence under this section shall not be instituted in the Territory without the consent of the appropriate legal officer of the Territory".

(4) Subsection (5) of section 1 shall be omitted.

3.-(1) In section 3 for the word "counsel" wherever it occurs there shall be substituted the words "an advocate" except where the following provisions of this paragraph otherwise require.

(2) In paragraph (ii) of subsection (1) of section 3 for the words "the solicitor by whom that counsel was instructed" there shall be substituted the words "that advocate or, where that advocate is instructed by a solicitor, to the solicitor by whom he is instructed".

(3) In subsection (3) of section 3 for the words "a solicitor and counsel" there shall be substituted the words "an advocate and, where the law or practice of the Territory requires that in proceedings before the court an advocate shall be instructed by a solicitor, a solicitor".

(4) Subsection (4) of section 3 shall be omitted.

(5) In subsection (5) of section 3 -

(a) for the words "A solicitor or counsel shall be assigned in pursuance of subsection (3) of this section in such manner as Her Majesty may by Order in Council prescribe* and any solicitor or counsel" there shall be substituted the words "An advocate or solicitor shall be assigned in pursuance of subsection (3) of this

section in such manner as the Governor may by regulations prescribe, and any advocate or solicitor";

(b) for the word "Parliament" there shall be substituted the words "the legislature of the Territory";

(c) the words "made by statutory instrument" shall be omitted.

(6) After subsection (5) of section 3 there shall be inserted the following subsection:-

"(6) In this section -

"advocate" means, in relation to proceedings before any court, a legal practitioner who has a right of audience in that court; and

"solicitor" means, in relation to proceedings before any court, a legal practitioner who has a right to instruct an advocate in such proceedings."

4.-(1) In subsection (1) of section **5** the words "or, in Northern Ireland, the Minister of Home Affairs for Northern Ireland," shall be omitted.

(2) In subsection (2) of section **5** the words "or, in Northern Ireland, the Minister aforesaid," shall be omitted.

5.-(1) In subsection (4) of section **6** for the words "passing of this Act" wherever they occur there shall be substituted the words "coming into operation of this Act in the Territory".

(2) In subsection (5) of section **6** for the word "national" there shall be substituted the word "public".

(3) In subsection (6) of section **6** for all the words following the word "thereof, there shall be substituted the words "on any ship or aircraft registered in the Territory".

(4) For subsections (7) and (8) of section **6** there shall be substituted the following subsections:-

"(7) Proceedings under this section shall not be instituted in the Territory without the consent of the appropriate legal officer of the Territory.

(8) The authority of the Governor under this section may be given by the Governor or any person or authority authorised in that behalf by the Governor."

6.-(1) In subsection (1) of section **7** -

(a) the definition of "enactment" shall be omitted;

(b) immediately before the definition of a "protected internee" there shall be inserted the following definition:-

" "Governor", in relation to any Territory, means the Governor of the Territory and includes any person administering the government of the Territory."

(c) there shall be inserted at the end of the subsection the following definition:-

" "Territory" means any of the territories to which the foregoing provisions of this Act extend and includes the dependencies thereof."

(2) At the end of section 7 there shall be inserted the following subsection:-

(3) The references in this Act to the consent of the appropriate legal officer of a Territory in connection with the institution of proceedings for an offence shall be construed as references to the consent of the Attorney-General or other principal Law Officer of the Territory (including any person for the time being discharging the functions of that office) or to such other officer as the Governor may, either generally or in relation to specified classes of proceedings, prescribed by order."

Controlled by Ministry of Health
