



BERMUDA

PUBLIC HEALTH (OFFENSIVE TRADES: STORAGE, TREATMENT AND
DISTRIBUTION OF ANIMAL EXCRETA AND FAECAL MATTER) REGULATIONS
1966

SR&O 15 / 1966

[made under section 64 of the Public Health Act 1949 and brought into operation on 5 September 1966]

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Interpretation

1 In these Regulations—

(a) *[omitted]*;

(b) “animal” includes poultry;

“excreta or faecal matter” includes urine;

“liquid-form manure” means manure which is wholly or mainly in liquid form and can be pumped through pipes of a diameter of four inches,

“manure” means any animal excreta or faecal matter;

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“road” includes any highway, estate road giving access to more than three houses and any public place;

“solid-form manure” means any manure other than liquid-form manure;

“storage” means the keeping of manure after it has been deposited by an animal or animals, but does not include the transportation thereof from one place to another or its final disposal, and cognate expressions shall be construed accordingly.

Storage of manure

2 (1) Any person who stores manure or causes, permits or allows manure to be stored, otherwise than in accordance with this Regulation commits an offence against these Regulations.

- (2) (a) Liquid-form manure shall, unless the Minister otherwise authorises in writing, be stored in a leak-proof chamber or tank constructed of or lined with impervious material.
- (b) All openings in any such chamber or tank shall be kept covered with a lid, top or cap so that noxious or offensive effects shall not escape therefrom.
- (c) Every such opening shall be so constructed as to eliminate the spilling outside the chamber or tank of manure introduced into or extracted from the chamber or tank by such opening.
- (3) (a) Solid-form manure shall, unless the Minister otherwise authorises in writing, be stored in an open pit constructed and maintained in accordance with the following provisions of this paragraph.
- (b) An open pit for the storage of solid manure shall have—
 - (i) a floor of impervious materials so channelled and sloped that liquid draining from manure stored therein drains to one end, side or cover thereof;
 - (ii) at such end, side or corner, a drain leading to a cesspit or septic tank approved by the Minister or to a chamber or tank for the storage of liquid form manure;
 - (iii) all sides thereof lined with smooth impervious material which shall be kept free from manure above the level of manure stored therein; and
 - (iv) an open side, or a side which may be opened, for the reception and removal of manure therefrom.

(4) No solid-form manures shall be stored in any open pit for more than three days without the written permission of the Minister.

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Permission required to erect or operate plant for treatment of manure

3 Any person who erects or operates a plant for the dehydration or hydration of manure without written permission of the Minister commits an offence against these Regulations.

Minister may prohibit treatment of manure

4 The Minister may, for the purpose of preventing or mitigating noxious or offensive effects from the storage of manure, by order in writing, prohibit in any particular case any treatment of any manure which in the Minister's opinion, is causing or aggravating any noxious or offensive effects therefrom, and any person who does any act in contravention of any such prohibition commits an offence against these Regulations.

Chief Environmental Health Officer may direct treatment of manure

5 (1) Where the storage of any manure is, in the opinion of the Chief Environmental Health Officer, causing noxious or offensive effects, then the Chief Environmental Health Officer may, for the purpose of preventing or mitigating such effects, by order in writing, order the person storing such manure or the owner or occupier of the premises upon which such manure is stored, or all or any one or more of them, to treat or dispose of such manure in such manner as he shall direct being a manner which in his opinion will prevent or mitigate such effects; and the power to make any such order shall be exercisable by him notwithstanding that, in relation to any such storage, Regulation 2 has been complied with,

(2) Any person to whom any such order has been given under paragraph (1) who contravenes any such order within twenty-four hours of any such order being served on him, or within such longer period as the Chief Environmental Health Officer may, in such order, specify, commits an offence against these Regulations.

[Regulation 5 amended by 2018 : 66 s.2 effective 10 January 2019]

Road transportation of manure

6 (1) Any person who uses any vehicle on any road for the transportation of manure except in accordance with this Regulation, and the owner of any vehicle so used, commits an offence against these Regulations.

(2) Liquid-form manure shall be transported on a road in a container of impervious material the openings of which are so sealed or closed that manure cannot spill on to such road therefrom or any noxious or offensive effect escape therefrom while the vehicle is on such road.

(3) Solid-form manure shall be transported on a road in a container the floor and sides of which are lined with impervious material and fitted with a rigid top properly closed and effectively secured.

(4) No vehicles shall be used for the transportation of manure on a road unless it, its tyres, wheels and the exterior surfaces of any such container as aforesaid containing manure are clean, and there is no manure or soil adhering thereto.

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Manure on tyres an offence

7 Any person who uses on any road any vehicle from which manure has been unloaded and to any of the tyres or wheels of which manure is adhering and the owner of any such vehicle commits an offence against these Regulations.

Driver of vehicle to remove manure dropped on road

8 (1) When any manure is dropped or spilt or deposited on any road from any vehicle transporting manure or which has on the day of such deposit transported manure, the driver thereof shall forthwith remove any such manure or soil so dropped, spilt or deposited from the road, and clean the surface of the road.

(2) Any driver of any such vehicle who contravenes any of provisions of paragraph (1) commits an offence against these Regulations.

Delivery of load of manure; must be ploughed under

9 (1) The occupier of any premises upon which any manure is unloaded for the purpose of final disposal thereat, shall within twelve hours of such unloading or within such longer period as the Chief Environmental Health Officer may allow, plough such manure into the ground or bury it under not less than one foot of earth.

(2) Any person who contravenes provisions of paragraph (1) commits an offence against these Regulations.

[Regulation 9 para (1) amended by 2018 : 66 s.2 effective 10 January 2019]

Penalties

10 Where a person commits an offence against these Regulations:

Punishment on summary conviction: a fine of \$180 in respect of each offence; and

Punishment on summary conviction in the case of a second or subsequent conviction: imprisonment for 3 months or a fine of \$360 or both such imprisonment and fine; and where any such offence as aforesaid is a continuing offence, the person guilty of the offence shall, in addition to any punishment provided in this section, be liable in respect of each day during which the offence continues to a fine of \$36.

[Amended by:

1970 : 390

2018 : 66]