

A.L. 135 ta' l-2008

**ATT DWAR IS-SAHHA PUBBLIKA
(KAP. 465)**

**Regolamenti ta' l-2008 li jemendaw ir-Regolamenti dwar
is-Swimming Pools**

BIS-SAHHA tas-setghat moghtija bl-artikolu 26 (iv) ta' l-Att dwar is-Sahha Pubblika, il-Ministru għall-Politika Soċjali għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2008 li jemendaw ir-Regolamenti dwar is-Swimming Pools, u dawn għandhom jinqraw u jinftiehm u haġa wahda mar-Regolamenti ta' l-2005 dwar is-Swimming Pools, hawn iżjed 'il quddiem imsejnhin "ir-regolamenti prinċipali".

Titolu.

A.L. 129 ta' l-2005.

2. Fit-test Malti tar-regolament 1 tar-regolamenti prinċipali, il-kliem "(Sigurtà għas-Sahha Pubblika)" għandhom jithassru.

Jemenda r-regolament 1 tar-regolamenti prinċipali.

3. Fir-regolament 2 tar-regolamenti prinċipali, minflok it-tifsira "persuna responsabbli" għandu jidhol dan li ġej:

Jemenda r-regolament 2 tar-regolamenti prinċipali.

"persuna responsabbli" tfisser dik il-persuna li tkun responsabbli għas-swimming pool u tinkludi, meta dik il-persuna ma tkunx preżenti, lil dak l-impjegat jew lil dik il-persuna oħra, li tkun l-impjegat anzjan jew il-persuna preżenti, li jkollha l-inkarigu li tiehu hsieb is-swimming pool f'dak il-mument; dak l-impjegat anzjan jew dik il-persuna għandhom jitqiesu bħala li jkunu qegħdin jaġixxu bl-awtorità tal-persuna li tkun responsabbli kemm-il darba l-persuna responsabbli ma ġgibx prova kuntrarja;"

4. Fis-subregolament (1) tar-regolament 6 tar-regolamenti prinċipali, minflok il-kliem "kontinwament;" għandhom jidhlu l-kliem "kontinwament:," u minnufih warajhom għandu jizdied dan il-proviso li ġej:

Jemenda r-regolament 6 tar-regolamenti prinċipali.

"Izda fil-każ ta' swimming pools li jintużaw għal finijiet ta' idroterapija, it-temperatura ta' l-ilma fis-swimming pool għandha

tkun bejn 28°C u 35°C, filwaqt li fil-każ ta' *spa pools* it-temperatura ta' l-ilma m'għandhiex tkun ta' iżjed minn 40°C;”.

Jemenda
r-regolament 8
tar-regolamenti
prinċipali.

5. Minflok il-paragrafu (d) tas-subregolament (4) tar-regolament 8 tar-regolamenti prinċipali, għandu jidhol dan li ġej:

“(d) It-tojlit, is-sink għall-hasil ta' l-idejn u d-doċċa għandhom jinżammu fi stat tajjeb ta' tiswija u l-għadd tagħhom għandu jkun daqstant li jkun jiflaħ għall-għadd ta' persuni li jkunu qegħdin jghumu fih.”

Jemenda
r-regolament 10
tar-regolamenti
prinċipali.

6. Minflok is-subregolament (1) tar-regolament 10 tar-regolamenti prinċipali, għandu jidhol dan li ġej:

“(1) Meta *swimming pool* ma tkunx konformi mal-htigiet stipulati b'dawn ir-regolamenti, jew meta tkun teżisti xi kundizzjoni li tista' tkun ta' riskju għas-saħha pubblika jew ta' inkonvenjent għas-saħha ta' l-għawwiema jew ta' l-utenti tas-*swimming pool*, l-awtorità kompetenti għandha tordna li s-*swimming pool* jiġi magħluq.”

Jenunera mill-ġdid
ir-regolamenti
11 u 12
tar-regolamenti
prinċipali.

7. Ir-regolamenti 11 u 12 tar-regolamenti prinċipali għandhom jiġu enumerati mill-ġdid bhala r-regolamenti 12 u 13 rispettivament.

Iżid
ir-regolament 11
mar-regolamenti
prinċipali.

8. Minnufih wara r-regolament 10 tar-regolamenti prinċipali għandu jiżdied dan ir-regolament ġdid li ġej:

“Meta r-
regolamenti
3 sa 9 ma
jkunux
japplikaw.

11. (1) Id-dispożizzjonijiet tar-regolamenti 3 sa 9 ta' dawn ir-regolamenti m'għandhomx ikunu japplikaw għal *swimming pools* li la huma pubbliċi lanqas kummerċjali.

(2) Il-persuna responsabbli jkollha dmir li:

(a) iġġib provi għas-sodisfazzjon ta' l-awtorità kompetenti li s-*swimming pool* la jkun wiehed pubbliku lanqas kummerċjali;

(b) tiżgura li s-*swimming pool* jinżamm fi stat li ma johloq ebda riskju għas-saħha pubblika.”

L.N. 135 of 2008

**PUBLIC HEALTH ACT
(CAP. 465)**

Swimming Pools (Amendment) Regulations, 2008

IN exercise of the powers conferred by article 26 (iv) of the Public Health Act, the Minister for Social Policy has made the following regulations:-

1. The title of these regulations is the Swimming Pools (Amendment) Regulations, 2008 and they shall be read and construed as one with the Swimming Pools Regulations, 2005, hereinafter referred to as “the principal regulations”. Title.
L.N. 129 of 2005.

2. In the Maltese text of regulation 1 of the principal regulations, the words “(Sigurtà għas-Sahha Pubblika)” shall be deleted. Amends
regulation 1
of the principal
regulations.

3. In regulation 2 of the principal regulations, for the definition “responsible person” there shall be substituted the following: Amends
regulation 2
of the principal
regulations.

“responsible person” means the person responsible for swimming pool and includes, in his absence, such employee or other person, being the senior employee or person present, engaged in operating the swimming pool at the time; such senior employee or person shall be presumed to be acting on the authority of the person responsible unless the person responsible produces proof to the contrary;”.

4. In sub-regulation (1) of regulation 6 of the principal regulations, for the words “at all times;” there shall be substituted the words “at all times:”, and immediately thereafter there shall be added the following proviso: Amends
regulation 6 of
the principal
regulations.

“Provided that in the case of pools used for hydrotherapy the temperature of the pool water shall be between 28° C to 35° C, whilst in the case of spa pools the water temperature shall not be higher than 40° C;”.

5. For paragraph (d) of sub-regulation (4) of regulation 8 of the principal regulations, there shall be substituted the following: Amends
regulation 8 of
the principal
regulations.

“(d) Toilet, wash hand basin and shower fixtures shall be maintained in proper repair and shall be of such a number as to cater for the maximum bathing load.”

Amends regulation 10 of the principal regulations.

6. For sub-regulation (1) of regulation 10 of the principal regulations, there shall be substituted the following:

“(1) When any pool is found not to meet the requirements set by these regulations, or when a condition is found which may constitute a public health risk or a health nuisance to bathers or pool patrons, the competent authority shall order such pool to be closed.”

Renumbers regulations 11 and 12 of the principal regulations.

7. Regulations 11 and 12 of the principal regulations shall be renumbered as regulations 12 and 13 respectively.

Adds new regulation 11 to the principal regulations.

8. Immediately after regulation 10 of the principal regulations there shall be added the following new regulation:

“Non-applicability of regulations 3 to 9.

11. (1) The provisions of regulations 3 to 9 of these regulations shall not be applicable to swimming pools which are neither public nor commercial.

(2) It shall be the duty of the responsible person to:

(a) prove to the satisfaction of the competent authority that the pool is neither public nor commercial;

(b) ensure that the swimming pool is kept in such a state as not to pose a risk to public health.”