

UNIVERSITY OF SWAZILAND
Faculty of Health Sciences
DEGREE IN ENVIRONMENTAL HEALTH
MAIN EXAMINATION PAPER 2013

TITLE OF PAPER	:	ENVIRONMENTAL HEALTH LAW
COURSE CODE	:	EHM 209
DURATION	:	2 HOURS
MARKS	:	100 MARK
INSTRUCTIONS	:	READ THE QUESTIONS & INSTRUCTIONS CAREFULLY
	:	ANSWER ANY FOUR QUESTIONS
	:	EACH QUESTION CARRIES 25 MARKS
	:	WRITE NEATLY & CLEARLY
	:	NO PAPER SHOULD BE BROUGHT INTO NOR OUT OF THE EXAMINATION ROOM
	:	BEGIN EACH QUESTION ON A SEPARATE SHEET OF PAPER

DO NOT OPEN THIS QUESTION PAPER UNTIL PERMISSION IS GRANTED BY THE INVIGILATOR

QUESTION ONE

Part A

You are a public health inspector employed by the Swaziland Environmental Authority. Your core responsibility is management of waste in non-urban areas in the country. You have this day come to realize that disposal of waste in Lugongolweni area is resulting in an adverse effect, and have been called upon by your employer to give the necessary advice to the relevant Government authority regarding the situation.

- a. What does the term “Adverse effect” mean, in terms of the Waste Regulations, 2000?
[5 marks]
- b. State the Government authority you would advise regarding the situation.
[2 marks]
- c. Specify the action you would advise the Government authority you stated in (b) above to take, the procedure to be followed, citing relevant authority.
[4 marks]
- d. Assuming that the Government authority has acted on your advice regarding the situation, what advice would you give to persons generating household waste in the specified area regarding disposal thereof.
[3 marks]
- e. What does the term “household waste” mean, in terms of the Waste Regulations, 2000?
[1 marks]
- f. State the general prohibition in the Waste Regulations, 2000 regarding the manner of disposal of waste.
[3 marks]
- g. State the authority responsible for waste management in an urban area. [1 mark]
- h. Specify the duty of the authority you stated in (g) above regarding disposal of household waste.
[2 marks]
- i. What is the rationale for the requirement for an effluent control permit in terms of Section 62 of the Water Act, 2003?
[4 marks]

[TOTAL: 25 MARKS]

QUESTION TWO

Part A

You are a public health inspector employed by the Matsapha Town Board. You have this day entered into a factory at the Matsapha industrial Site, examined it and found it is not in a clean state, overcrowded, badly lighted or ventilated, and thus likely to be dangerous to the health of the employees.

- a. What do the conditions you found in the factory constitute [3 marks]
- b. Specify the action you would take based on your finding, citing relevant authority. [4 marks]
- c. State the persons against whom you would take the action. [4 marks]

(11 MARKS)

Part B

- a. Specify the duties of local authorities regarding the control of pollution of water, in terms of the Public Health Act, 1969. [6 marks]
- b. State the major point sources of pollution of water. [4 marks]
- c. What is the rationale for the requirement for an effluent control permit in terms of Section 62 of the Water Act, 2003? [4 marks]

(14 MARKS)

QUESTION THREE

- a. State the requirement that must be satisfied by the owner of a building upon completion of a new building in terms of the Building Act, 1968. [4 marks]
- b. Define the following terms in terms of the Building Act, 1968:-
 - (i) “dangerous building” [4 marks]
 - (ii) “dwelling” [4 marks]
 - (iii) “owner” [4 marks]
- c. Define the following terms in terms of the Waste Regulations, 2000:-

- (i) Special waste [2 marks]
- ii) Hazardous waste [2 marks]
- iii) Disposal [2 marks]
- iv) Waste disposal facility [3 marks]

MARKS: 25

QUESTION FOUR

Part A

You are a public officer and have been designated by the Director of the Swaziland Environment Authority as an officer authorized to enforce the Waste Regulations, 2000. You have this day stopped, entered and searched a motor vehicle transporting hazardous and clinical for export.

- a. What is the collective term to describe the type of waste found in the motor vehicle?
[3 marks]
- b. State the general prohibition and duty imposed on the person transporting the waste in terms of the Regulations.
[3 marks]
- c. Specify the documents you would require from the person transporting such waste
[4 marks]

{ 10 MARKS }

Part B

- a. Under what circumstances may the Minister for Tourism and Environment designate an area as a waste control area and what is the mode thereof? [6 marks]
- b. State where the following types must be disposed of:
 - i) Commercial or industrial waste produced in an urban area; [2 marks]
 - ii) Household waste produced in an urban area; [2 marks]
 - iii) Household waste produced in a waste control area; [2 marks]
 - iv) Clinical waste; [3 marks]

{ 15 MARKS }

QUESTION FIVE

What requirements must be satisfied in respect of food rooms in relation to personal hygiene and clothing of persons engaged in the food business in terms of the Public Health (Food Hygiene) Regulations, 1973? [25 marks]

TOTAL MARKS: 25