

UNIVERSITY OF SWAZILAND

Faculty of Health Sciences

DEGREE IN ENVIRONMENTAL HEALTH SCIENCE

SUPPLEMENTARY EXAMINATION PAPER 2014

TITLE OF PAPER	:	Environmental Health Law
COURSE CODE	:	EHM 209
DURATION	:	2 HOURS
MARKS	:	100
INSTRUCTIONS	:	READ THE QUESTIONS & INSTRUCTIONS CAREFULLY
	:	ANSWER ALL QUESTIONS
	:	EACH QUESTION CARRIES 25 MARKS
	:	WRITE NEATLY AND 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

What requirements must be satisfied in respect to 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]

QUESTION TWO

- i) The Environmental Management Act, 2002 provides for both Prevention and Protection orders. In terms of the Act in both section(s) 63 and 64, powers are bestowed to the Director of the Swaziland Environmental Authority to issue such orders.
- a) What does a 'prevention order' require a person to do? [5 marks]
 - b) What are the consequences of not complying with a prevention order? [3 marks]
 - c) What are the measures supposed to be taken by a person served with a protection order? [5 marks]
 - d) State the consequences for non compliance with a 'protection order.' 3 marks]
- ii) State where the following types waste must be disposed of:
- a) Commercial or industrial waste produced in an urban area; [1 mark]
 - b) Household waste produced in an urban area; [1 mark]
 - c) Household waste produced in a waste control area; [1 mark]
 - d) Clinical waste. [1 mark]
- iii) Specify the documents you will require from a person transporting hazardous and clinical waste for export. [5 marks]

[TOTAL: 25 MARKS]

QUESTION THREE

A) The King came with a vision that Swaziland should become a developed state by year 2022 which the Government has adopted. In order to support the King's vision, the current Government came with "development unusual." As a student of Environmental Health Law, Government consults you to give advice on sustainable development.

- i) Please explain to your client the meaning of sustainable development. (3 marks)
- ii) State and explain the pillars of sustainable development. (6 marks)

B) Consequent to your advice on sustainable development, the Government is impressed and comes back to seek your further advice in terms of section 5 of the Environmental Management Act 005 of 2002, that is, on the environmental principles hereof. Define the following environmental law distinctive principle.

- i) Polluter pays principle (3 marks)
- ii) Precautionary principle (3 marks)
- iii) Preventive principle (2 marks)
- iv) Duty of care to avoid harm to the environment (2 marks)
- v) Life cycle responsibility (3 marks)

C) What does 'adverse effect' mean in terms of the Environmental Management Act 005/2002?

(3marks)

[TOTAL: 25 MARKS]

QUESTION FOUR

- 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]

[TOTAL: 25 MARKS]