

UNIVERSITY OF SWAZILAND

Faculty of Health Sciences

DEGREE IN ENVIRONMENTAL HEALTH SCIENCE

MAIN EXAMINATION PAPER 2014

TITLE OF PAPER : Environmental Health Law

COURSE CODE : EHS 317

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

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 advise 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 principles.

- 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 2

Your are a Public Health Inspector employed by the Swaziland Environmental Authority. You core responsibility is management of waste in non-urban areas in the country. You have this day come to realize that disposal of waste at Madlangempisi 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 and the procedure to be followed. [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 mark]
- f) State the general prohibition in terms of 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 3

- a) Define the term nuisance. [5 marks]
- b) State the general prohibition in relation to nuisance, in terms of the Public Health Act, 1969. [5 marks]
- c) State the obligations areas to which the Building Act, 1968 applies. [10 marks]
- d) What requirements must be satisfied in respect of the construction and demolition of a building? [5 marks]

[TOTAL: 25 MARKS]

QUESTION 4

- i. Define pollution of water and state the public health risks associated with contaminated water? [10 marks]
- ii. State the major point source of pollution of water. [5 marks]
- iii. State the general functions of Water Services Corporation and state why such functions are important for public health. [5 marks]
- iv. State the duties of local authorities regarding the control of pollution of water, in terms of the Public Health Act, 1969. [5 marks]

[TOTAL: 25 MARKS]