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By-Law Relating to the Disposal of Contaminated and/or Infectious Waste

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Commences on 24 April 2017 unless otherwise noted

The Municipal Manager of Mbizana Local Municipality hereby publishes, in terms of Section 13 of the Local Government Municipal Systems Act, 2000 ([Act 32 of 2000](#)) read with Section 162 of the [Constitution of the Republic of South Africa Act 1996 \(Act 108 of 1996\)](#) the By-Law Relating to the Disposal of Contaminated and or Infectious Waste which shall come into operation on the date of publication thereof.

1. Definitions

In these by-laws unless the context indicates otherwise:

"Contaminated animal carcasses, body parts and bedding" means contaminated carcasses, body parts and bedding of animals that were intentionally exposed to pathogens in research, in the production of biologicals, or the in vivo testing of pharmaceuticals.

"Contaminated sharps" means discarded sharps (e.g. hypodermic needles, syringes, pasteur pipettes, broken glass, scalpel blades) which have come into contact with infectious agents during use in patient care or in medical, research or industrial laboratories.

"Council" means the Council of the Municipality or any duly authorised Committee or official of the Council.

"Cultures and stocks of infectious agents and associated biologicals" means specimen cultures from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biologicals and live or attenuated vaccines and culture dishes and devices used to transfer, inoculate and mix cultures.

"Human blood and blood products" means waste such as serum, plasma and other blood components.

"Infectious waste" means waste capable of producing an infectious disease.

"Isolation waste" means waste generated by hospitalised patients isolated to protect others from communicable diseases.

"Miscellaneous contaminated wastes" means wastes from surgery and autopsy (e.g. soiled dressings, sponges, drapes, lavage tubes, drainage sets, under-pads and gloves), contaminated laboratory wastes (e.g. specimen containers, slides and cover slips, disposal gloves, laboratory coats and aprons), dialysis unit waste (e.g. tubing filters, disposable sheets, towels, gloves, aprons and laboratory coats), and contaminated equipment (e.g. equipment used in patient care, medical and industrial laboratories, research and in the production and testing of certain pharmaceuticals).

"Municipality" means the Municipality of Mbizana.

"Pathological waste" means waste consisting of tissues, organs, body parts and body fluids that are removed during surgery and autopsy.

2. Storage of infectious waste

- (a) All infectious waste must be placed at the point of generation into a container approved by the Council.
- (b) The container used for the storage of sharp objects must be constructed of such a material that the object cannot pierce the container. The container must also be fitted with a safe and hygienic lid which must be sealed after use.
- (c) The container used for the disposal of other infectious waste must be constructed of a suitable material preventing the leakage of the contents. The container must also be fitted with a safe and hygienic lid

which must be sealed after use.

- (d) All containers must be adequately labelled and marked with the universal bio-hazardous waste symbol.

3. Transport of Infectious waste

- (a) All containers of infectious waste must be sealed intact at the point of generation.
- (b) The vehicle transporting infectious waste must be clearly marked indicating infectious waste in transit.
- (c) The vehicle used for the transport of infectious waste must be so designed that the driver's cab is separated from the load area. The load area must be enclosed with suitable sealable, lockable doors.
- (d) All infectious loads being carried or conveyed for disposal must be invoiced by the person or institution from which such waste is generated and the invoice must contain details of the premises from which the infectious waste was generated and the premises where the waste will be disposed of.

4. Removal and disposal of infectious waste

- (a) The Council may remove infectious waste from the premises of generation and dispose thereof in a safe, sanitary and supervised manner, and the owner of such premises or the owner of the waste as determined by the Council shall be liable to the Council for payment of the tariff charges in respect of the aforesaid removal services.
- (b) Private contractors may, with the written consent of the Council and subject to such terms and conditions as it may determine, remove and dispose of infectious waste.
- (c) Infectious waste may, with the written consent of the Council and subject to compliance with such terms and conditions as it may determine, be disposed of in an approved high temperature pollution free incinerator on the premises of origin of such waste.
- (d) Unless otherwise determined by the Council, the burning temperatures in the primary and secondary chambers of the incinerator shall, at all times, exceed 800 degrees C and 1000 degrees C respectively and also have rapid cooling to prevent carcinogenic chemicals from entering the atmosphere.
- (f) The Council may by resolution determine additional conditions pertaining to the storage, placement, removal and conveyance of contaminated and or infectious waste including conditions pertaining to vehicles used for the removal and transportation of such waste and such additional conditions shall apply in addition to the conditions contained in these by-laws.

4. Infectious waste

For the purpose of these by-laws, infectious waste shall include all the wastes referred to in section 1 hereof as well as contaminated animal carcasses, body parts, bedding, sharps, cultures and stocks of infectious agents and associated biologicals, human blood and blood products.

5. Penalties

Any person who contravenes or fails to comply with any provision of these by-laws or any instruction or permit issued thereunder shall be guilty of an offence and be liable on conviction to a fine not exceeding R1000 or such higher amount as is determined from time to time by the Minister of Justice as contemplated in section 1(1)(a) of the Adjustment of Fines Act 1991 ([Act No. 101 of 1991](#)) or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

6. Repeal of By-Laws

Any by-law relating to the disposal of contaminated and or infectious waste adopted by the municipality or any municipality now comprising an administrative unit of the municipality is repealed from the date of

promulgation of these by-laws.