

Chapter 230.  
***Fluoridation of Public Water Supplies Act 1965.***

Certified on: / /20 .



INDEPENDENT STATE OF PAPUA NEW GUINEA.



Chapter 230.

***Fluoridation of Public Water Supplies Act 1965.***

ARRANGEMENT OF SECTIONS.

1. Interpretation.
  - “the Committee”
  - “fluoride”
  - “Inspector”
  - “public water supply”
  - “the regulations”
  - “this Act”
  - “Water Supply Authority”
2. Application.
3. Establishment of Committee.
4. Membership of Committee.
5. Meetings of the Committee.
6. Functions of the Committee.
7. Level of authorized fluoridation.
8. Authorization subject to conditions, etc.
9. Conditions of fluoridation.
10. Inspectors.
11. Entry and sampling.
12. Annual report.
13. Regulations.



INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

*Fluoridation of Public Water Supplies Act 1965,*

Being an Act to authorize and control the addition of fluoride to public water supplies, and for other purposes.

1. **INTERPRETATION.**

In this Act, unless the contrary intention appears—

“**the Committee**” means the Fluoridation Committee established under Section 3;

“**fluoride**” means sodium fluoride or any other compound of fluorine approved by the Committee in a particular case;

“**Inspector**” means an Inspector appointed under Section 10;

“**public water supply**” means a water supply used for supplying water to consumers through a piped reticulation system;

“**the regulations**” means any regulations made under this Act;

“**this Act**” includes the regulations;

“**Water Supply Authority**” means the person or authority who has the control of a public water supply, and includes the State.

2. **APPLICATION.**

This Act binds the State.

3. **ESTABLISHMENT OF COMMITTEE.**

A Fluoridation Committee is hereby established.

**4. MEMBERSHIP OF COMMITTEE.**

- (1) The Committee shall consist of six members of whom—
- (a) one shall be a dentist in the Public Service, who shall be the Chairman; and
  - (b) one shall be a medical practitioner in the Public Service, who shall be the Deputy Chairman; and
  - (c) one shall be an officer of the Department of Public Works.
- (2) The members shall be appointed by the Minister by notice in the National Gazette.

**5. MEETINGS OF THE COMMITTEE.**

- (1) At a meeting of the Committee—
- (a) the Chairman or Deputy Chairman and three other members are a quorum; and
  - (b) the Chairman, or in his absence the Deputy Chairman, shall preside; and
  - (c) all questions shall be decided by a majority of the votes of the members present; and
  - (d) the person presiding has a deliberative and, in the event of an equality of votes on a matter, also a casting vote.
- (2) The Committee shall keep a record of its proceedings.
- (3) The Committee shall forward minutes of its meetings to the Minister.

**6. FUNCTIONS OF THE COMMITTEE.**

- (1) The functions of the Committee are—
- (a) to investigate the advisability of adding fluoride to a public water supply; and
  - (b) to authorize a Water Supply Authority to add fluoride to the public water supply under its control.
- (2) The Committee may, and if directed by the Minister shall, advise the Minister—
- (a) on any matter relating to or arising from an application by a Water Supply Authority to fluoridate the public water supply under its control; and
  - (b) on any other matter relating to the fluoridation of water supplies in the country.
- (3) In an investigation under Subsection (1), the Committee may require such information as it considers necessary in each case.

**7. LEVEL OF AUTHORIZED FLUORIDATION.**

The Committee shall not authorize the fluoridation of a public water supply so that the fluoride content of that water supply will exceed 0.8 parts of fluoride per 1,000,000 parts of water.

**8. AUTHORIZATION SUBJECT TO CONDITIONS, ETC.**

Subject to this Act, an authorization to a Water Supply Authority under Section 6—

- (a) may be granted for such period and subject to such conditions as the Committee thinks necessary or desirable; and
- (b) shall contain a condition requiring the Water Supply Authority to maintain the fluoride content of water in respect of which the authorization is granted at a concentration of not more than a maximum, or less than a minimum, amount of fluoride specified in the authorization.

**9. CONDITIONS OF FLUORIDATION.**

A Water Supply Authority must not add fluoride to a public water supply—

- (a) unless it is authorized so to do under this Act; and
- (b) otherwise than in accordance with this Act and the conditions (if any) of the authorization.

Penalty: A fine not exceeding K1,000.00.

**10. INSPECTORS.**

(1) The Minister may, by notice in the National Gazette, appoint a person to be an Inspector for the purposes of this Act.

(2) The powers and duties of an Inspector are as prescribed.

**11. ENTRY AND SAMPLING.**

(1) An Inspector and his assistants (if any) may enter on any land and do any other thing that is reasonably necessary for the purpose of taking a sample of water from a public water supply for the purpose of testing and analysing the water.

(2) A person who hinders or obstructs an Inspector or his assistants (if any) in the exercise of his powers under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**12. ANNUAL REPORT.**

(1) As soon as practicable after 1 June in each year the Committee shall forward to the Minister a report in a form approved by the Minister on the

functioning of this Act and the activities of the Committee in the course of the year preceding that date.

(2) The Minister shall present the report to the Parliament at the next meeting of the Parliament after its receipt by him.

### **13. REGULATIONS.**

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular for prescribing—

- (a) the protection of persons employed in adding fluoride to a public water supply from inhaling fumes or dust containing fluoride; and
- (b) the qualifications of persons employed in operating plant or equipment used for adding fluoride to a public water supply; and
- (c) the disposal or destruction of containers from which fluoride has been removed for addition to a public water supply; and
- (d) the method by which fluoride may be added to a public water supply; and
- (e) the regulation and maintenance of the fluoride content in the water of a public water supply; and
- (f) the making of analyses and tests; and
- (g) the method of analysis and testing used in determining the fluoride content of water, and the times at which analyses or tests shall be made; and
- (h) the records to be kept by a Water Supply Authority authorized under Section 6; and
- (i) penalties not exceeding fines of K200.00 for offences against the regulations.

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