

**SWIMMING POOLS (CONTROL) ACT  
(CAP. 244)**

**WATER SERVICES CORPORATION ACT, 1991  
(ACT NO. XXIII OF 1991)**

**Swimming Pools (Control) Regulations, 1998**

IN exercise of the powers conferred by section 4 of the Swimming Pools (Control) Act, and by section 45 of the Water Services Corporation Act, 1991, the Minister of Public Works and Construction and the Water Services Corporation have made the following regulations:-

- Citation. 1. These regulations may be cited as the Swimming Pools (Control) Regulations, 1998.
- Interpretation. 2. (1) In these regulations, unless the context otherwise requires:  
“the Act” means the Swimming Pools (Control) Act;  
“Corporation” means the Water Services Corporation as set up under the Water Services Corporation Act, 1991;  
“licence” means the licence to operate and use a swimming pool;  
“permit” means a permit to construct a swimming pool.  
(2) Words and phrases used in these regulations shall have the same meaning as is assigned to them in the Act.
- Application for construction of a swimming pool. 3. (1) A swimming pool may not be constructed unless a written permit for its construction has been issued by the Minister.  
(2) The application for such a permit shall be made in a specific form obtainable from the Corporation free of charge and shall contain all relevant details, including the exact locality and the volume of the swimming pool, the system of construction, the source of supply, the method of filling and draining the pool and the type of circulation and filtration pump to be installed, if any such pump is going to be installed.  
(3) An application shall not be entertained unless the Superintendent of Public Health approves the type of circulation, disinfection and filtration equipment to be installed or declares that no such equipment is necessary in connection with a particular swimming pool.  
(4) The application duly completed shall be accompanied by the relative plans, which shall be to scale, and by all relevant data, and shall be signed by a certified Architect and Civil Engineer.  
(5) Subject to the provisions of paragraph (2) of regulation 5 of these regulations, a permit granted under paragraph (1) of this regulation shall be deemed to include the licence to operate and use the swimming pool after the completion of its construction.  
(6) Such permit shall expire on the last day of the calendar year next following that during which it was issued.

- Ready-made swimming pools.
4. An application for the grant by the Minister or a licence to operate and use or to allow or permit the use of a swimming pool already manufactured or ready made shall be made to the Corporation on a form obtainable from the Corporation free of charge:
- Provided that a licence shall not be necessary if the capacity of such swimming pool is not more than three cubic metres (3m<sup>3</sup>) and the provisions of regulation 6 are observed.
- Filling of pools with water.
5. (1) A swimming pool may not be filled or partially filled with water unless a licence for such filling or partial filling has been issued by the Corporation.
- (2) The Corporation shall grant such licence if the swimming pool, equipment and related pipe-work, cisterns (if any) and sumps serving such pool are completely water-tight, and conform with these regulations.
- Use of sea water.
6. (1) A swimming pool lying more than one hundred meters away from the sea may not contain, be filled, be replenished or be topped up with any water other than fresh water collected as surface run-off or obtained from the public supply:
- Provided that the Corporation may grant exemption from the provisions of this regulation or from any part thereof to any person who has a permit to use a swimming pool with sea water and such exemption shall be valid for a period of four years from the coming into force of these regulations.
- (2) A swimming pool lying within a distance of one hundred meters from the sea may be filled up or replenished by means of sea water if the requirements of regulation 9 are observed.
- Fees payable for issue or renewal of a licence.
7. (1) Prior to the issue or renewal of a permit or licence under these regulations, the applicant shall pay to the Corporation the fee shown in the Schedule to these regulations:
- Provided that, where, prior to the coming into force of these regulations, a licence was issued for a swimming pool to be filled with sea water, the fee shown in the said Schedule shall be due only after the expiration of four years from the date of the coming into force of these regulations.
- (2) Every licence issued under these regulations shall expire on the last day of the month of December of the year to which such licence refers.
- (3) It shall be the duty of the person operating the swimming pool to apply for the renewal of the licence from year to year and to effect the relative payment in time.
- Unlicensed pools.
8. Where a swimming pool has been constructed without a permit and/or is being used or operated without a licence, such permit and/or licence shall be deemed to have been in force as from the date which the Corporation indicates on such permit or licence if the relative payment is effected within thirty days of its being requested by the Corporation and is accompanied by a further payment equivalent to one third (1/3) of the relative payment.
- Emptying of sea water from pools.
9. Sea water, or any substance derived therefrom, shall not be emptied from any swimming pool or discharged therefrom except via impermeable pipes leading directly to the sea.
- Inspections.
10. Officials and agents of the Corporation shall have the right to inspect or to cause inspection to be made, without prior notice, of any swimming pool for the purpose of verifying whether the provisions of the Act, of the Water Services Corporation Act, 1991, and of these regulations are being complied with.
- Revocation of permits.
11. Where the Minister is satisfied that any of the provisions of these regulations is not being complied with, he may, without prejudice to the taking of criminal

proceedings under section 5 of the Act, revoke any permit or licence granted by him or by the Corporation under these regulations.

Permits etc.  
under other  
laws.

12. The issue of a permit or a licence according to regulations 3, 4 and 5 of these regulations shall not exempt the holder of such a permit or licence from the obligation of obtaining any other permit or licence which may be required under any other law.

Inspections  
and tests.

13. (1) The owner or owners of the swimming pool shall make good any expenses incurred by the Corporation to carry out all the necessary inspections and tests by any person authorised by it to do so in order to establish:

(a) the quality of the water in the swimming pool;

(b) that the swimming pool, equipment and pipe-work for same, cisterns (if any) and sumps serving such pool are completely water-tight and conform to these regulations;

(c) any other fact which may need to be established so as to ascertain that the pool is constructed and being operated according to these regulations.

(2) Such inspections and tests are to be carried out whenever deemed necessary by the Corporation.

Repeals L.N.  
74 of 1974

14. (1) The Swimming Pools (Control) Regulations, 1974, are hereby repealed.

(2) The repeal of the regulations aforesaid shall be without prejudice to anything done or omitted to be done under the said regulations and any punishment incurred in respect of any offence committed against any provisions thereof, and any investigation, legal proceeding or remedy may be instituted, continued or enforced, and any penalty, forfeiture or punishment may be imposed as if those regulations had not been repealed.

(3) All permits and licences issued under the aforesaid regulations shall be deemed to have been issued under these regulations.

## Schedule

### (Regulation 7)

**Fees to be paid by the applicant to the Water Services Corporation for the issue or renewal of a permit to construct or for a licence to operate or use a swimming pool.**

For a swimming pool used solely and exclusively by the applicant and his family ..... Lm1 per m<sup>3</sup> capacity

For a swimming pool used solely and exclusively by a philanthropic society .....nil

For any other swimming pool ..... Lm1.50 per m<sup>3</sup> capacity.