

Subsidiary Legislation made under s.227.

Common Lodging-House Rules

1893.08.23

		<i>Commencement</i>	1.9.1893
Amending enactments	Relevant current provisions		Commencement date
Rules of 11.1.1899	r. 1(2)		
30.1.1969	r. 1(2)		
Regs. of 28.5.1970			
LN. 1978/054	rr. 1(2), 23		
1988/003	rr. 1(2), 2-3, 18(1), (3)-(9), 20(1), 21-22		1.2.1988
1991/046	r. 23		4.4.1991
1998/108	r. 18		26.11.1998

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Public Health

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Common Lodging-House Rules

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Title and interpretation.

1.(1) These rules may be cited as the Common Lodging-House Rules.

(2) In these rules, unless the context otherwise requires,—

“common lodging-house” means any house or any part of a house, any portion of which shall be let or intended to be let for the temporary lodging or habitation of travellers or non-residents in Gibraltar, more than one of whom shall occupy or are intended to occupy a room in common, for which accommodation the charge for each lodger shall not exceed the sum of 50 pence per day, exclusive of board, or which shall be let or be intended to be let to a tenant or lodger for any sum not exceeding the rate of £15 per month ;

“common lodgings” means the part or parts of a common lodging-house so let or intended to be let for human habitation ;

“common lodger” means every occupier of common lodgings ;

Fixing number of lodgers.

2. The owner or keeper of a common lodging-house shall not, at any one time, receive, or cause or suffer to be received into such house, or into any room therein, a greater number of lodgers than shall be fixed by the Chief Environmental Health Officer as the maximum number of lodgers authorized to be received into such house, or into such room, and shall be specified in a notice in writing according to the form prescribed in the Schedule which shall be duly served upon or delivered to such owner or keeper, and shall continue in force until, in pursuance of the provisions of the rule in that behalf, the number so fixed and specified shall be varied by the Chief Environmental Health Officer.

Variation of number of lodgers.

3. The owner or keeper of a common lodging-house in any case where the Chief Environmental Health Officer may determine that it is expedient to vary the number of lodgers fixed by him as the maximum number authorized to be received into such common lodging-house or any part thereof, shall not, at any one time, receive or permit to be received into such common lodging-house, or any part thereof, a greater number of lodgers than shall be specified in any notice in writing, according to the form prescribed in the Schedule which may from time to time be duly served upon or delivered to him, as the maximum number of lodgers authorized to be received into such common lodging-house or any part thereof.

Segregation of sexes.

4.(1) An owner or keeper of a common lodging-house shall not, except in such cases as are hereinafter specified, cause or suffer any person of the male sex above the age of twelve years to use or occupy any room which may be used or occupied as a sleeping apartment by persons of the female sex.

(2) Such owner or keeper shall not, except in such cases as are hereinafter specified, cause or suffer any person of the female sex to use or occupy any room which may be used or occupied as a sleeping apartment by persons of the male sex above the age of twelve years :

Provided that this rule shall not be taken to prohibit the use and occupation by a husband and wife of any room which may not be used or occupied by any other person of either sex above the age of twelve years, or which may be used, in accordance with the provisions of the rule in that behalf, as a sleeping apartment for two or more married couples.

Beds for married couples to be screened.

5. Every owner or keeper of a common lodging-house shall cause every room therein which may be appointed for use and occupation as a sleeping apartment by two or more married couples to be so furnished or fitted that every bed, when in use and occupation, shall be effectually screened from the view of any occupant of any other bed, by means of a partition of wood or other solid material, which shall be constructed and fixed or placed so as to allow adequate means of access to the bed which such partition is intended to screen, and so as to extend upwards throughout the whole length and breadth of such bed to be a sufficient height above such bed, and downwards to a distance of not more than six inches above the level of the floor.

Yards, etc., to be clean.

6. Every owner or keeper of a common lodging-house shall cause every yard, area, forecourt or other open space within the curtilage of the premises to be maintained at all times in good order, and to be thoroughly cleansed, from time to time, as often as may be reasonably necessary for the purpose of keeping such yard, area, forecourt or other open space in a clean and wholesome condition.

Sweeping and washing of rooms.

7. Every owner or keeper of a common lodging-house shall cause the floor of every room or passage and every stair in such house to be thoroughly swept once at least in every day, before the hour of ten in the forenoon, and to be thoroughly washed once at least in every week.

Windows, etc., to be cleansed.

8. Every owner or keeper of a common lodging-house shall cause every window, every fixture or fitting of wood, stone or metal, and every painted surface in such house to be thoroughly cleansed, from time to time, as often as shall be requisite.

Beds and bed clothes to be cleansed.

9. Every owner or keeper of a common lodging-house shall cause all bed clothes and bedding, and every bedstead used in such house, to be thoroughly cleansed, from time to time, as often as shall be requisite for the purpose of keeping such bed clothes, bedding and bedstead in a clean and wholesome condition.

Wash basins and towels.

10. Every owner or keeper of a common lodging-house shall, for the use of the lodgers received into such house, cause to be provided a sufficient number of basins or other receptacles for water, of adequate capacity and suitably placed, and a sufficient supply of water and a sufficient number of towels for use in connection with such basins or other receptacles. He shall cause such basins or receptacles to be kept clean and in good order, and the supply of towels to be renewed, from time to time, as often as may be requisite.

Removal of filth.

11. Every owner or keeper of a common lodging-house shall cause all solid or liquid filth or refuse to be removed once at least in everyday before the hour often in the forenoon from every room in such house, and shall once at least in every day cause every vessel, utensil or other receptacle for such filth or refuse to be thoroughly cleansed.

Cleansing of closets.

12. Every owner or keeper of a common lodging-house shall cause the seat, floor and walls of every water closet, earth closet or privy belonging to such house to be thoroughly cleansed, from time to time, as often as may be necessary for the purpose of keeping such seat, floor and walls in a clean and wholesome condition.

Water closets, etc., to be in order.

13. Every owner or keeper of a common lodging-house shall cause every part of the structure of every water closet belonging to such house to be maintained at all times in good order, and every part of the apparatus of such water closet and every drain or means of drainage with which such water closet may communicate to be maintained at all times in good order and efficient action.

Ashpits.

14. Every owner or keeper of a common lodging-house shall cause every ashpit or refuse receptacle belonging to such house to be maintained at all times in good order and in a wholesome condition. He shall not cause or suffer any filth or wet refuse to be thrown into any ashpit constructed and adapted for use only as a receptacle for ashes, dust and dry refuse.

Ventilation.

15. Every owner or keeper of a common lodging-house shall cause all such means of ventilation as may be provided in or in connection with any room or passage in such house and in or in connection with any water closet or privy belonging to such house to be maintained at all times in good order and efficient action.

Opening of windows.

16. Every owner or keeper of a common lodging-house shall, except in such cases as are hereinafter specified, cause every window in every room in such house which may be appointed for use and occupation as a sleeping apartment to be opened and to be kept fully open for one hour at least in the forenoon, and for one hour at least in the afternoon of every day:

Provided that such owner or keeper shall not be required, in pursuance of this rule to cause any such window to be opened or to be kept open at any time when the state of the weather is such as to render it necessary that the window should be closed, or when any bed in such room may be occupied by any lodger in consequence of sickness or of other sufficient cause.

Airing of bed clothes.

17. Every owner or keeper of a common lodging-house shall cause the bed clothes of every bed in such house to be removed from such bed as soon as conveniently may be after such bed shall have been vacated by any lodger, and shall cause all such bed clothes and the bed from which such bed clothes may have been removed to be freely exposed to the air for one hour at least in the forenoon or for one hour at least in the afternoon of every day.

Infectious diseases.

18.(1) Every owner or keeper of a common lodging-house, immediately after he shall have been informed or shall have ascertained that any lodger in such house is ill of small-pox or any infectious disease, shall forthwith communicate the fact to the Public Health Director and shall adopt all such precautions as may be necessary to prevent the spread of such infectious disease as may be directed to be taken by the Public Health Director.

(2) Such owner or keeper shall not, at any time while such lodger is suffering from such infectious disease, cause or allow any other person, except the wife or other relative of such lodger, or except a person voluntarily in attendance on such, lodger, to use or occupy the same room as such lodger.

(3) The Public Health Director may, by order in writing addressed to the tenant or occupier of any room in any common lodging-house, direct the removal of him Or any other person who is suffering from small-pox, or any other dangerous infectious disorder, to any hospital or other place for the reception Of the sick that may be appointed for such purpose by the Governor in every case where such person, is lodged in a room situated in a crowded court or patio where, in the opinion of the Public Health Director, it is impossible to effect such isolation as he may deem necessary for preventing the further spread of the disease. In case of epidemic the Public Health Director may, by order in writing addressed to any tenant or occupant of any common lodging-house, require him to vacate and leave such common lodging-house and take up his residence forthwith in any other place appointed by the Governor for the reception of such persons displaced in such manner.

(4) Where the Public Health Director orders the removal of any person suffering from an infectious disease. The Government shall forthwith take all such steps as they may deem requisite to secure the safe and prompt removal of any such person to the hospital or other place appointed for that purpose in manner aforesaid.

(5) Where in consequence of the illness of any tenant or occupier, or any lodger in any common lodging-house, there may be reasonable grounds for apprehending the spread of infection through the admission of other lodgers to any room or rooms in such house, such keeper, after being furnished with the necessary instructions from the Public Health Director and until the grounds for apprehending the spread of infection shall have been removed, shall cease to receive any other lodger in such room or rooms.

(6) The owner or keeper of every common lodging-house shall immediately after the death, removal or recovery of any lodger who may have been ill of any infectious disease, give written notice thereof to the Public Health Director, and shall, as soon as conveniently may be, cause every part of the room which may have been occupied by such lodger to be thoroughly cleansed and disinfected, and shall also cause every article in such room which may be liable to retain infection to be in like manner cleansed and disinfected, unless the Public Health Director shall have ordered the same to be destroyed.

(7) The owner or keeper of every common lodging-house shall comply with all instructions of the Public Health Director as to the proper cleansing and disinfection of the room and articles.

(8) When the same shall have been thoroughly cleansed and disinfected in accordance with such instructions, the owner or keeper of every common lodging-house shall give written

notice thereof to the Public Health Director and until two days from the giving of such notice shall have elapsed and unless and until by such cleansing and disinfection the necessary precautions for preventing the spread of disease shall have been duly taken, such owner or keeper shall not cause or suffer any other lodger to be received into the room which, in the case hereinbefore specified may have been exposed to infection.

(9) The Public Health Director may order the destruction of any clothes, bedding or furniture in any common lodging-house from which any person may be removed in manner aforesaid, for which reasonable compensation shall be paid by the Government.

Kitchens not to be slept in.

19. An owner or keeper of a common lodging-house shall not, at any time, cause or suffer any room, which may be appointed for use as a kitchen or scullery to be used or occupied as a sleeping apartment.

Exhibition of notices.

20.(1) Every owner or keeper of a common lodging-house, on receiving from the Chief Environmental Health Officer a notice or placard wherein shall be stated the description or number of the room to which such notice or placard may apply, and the maximum number of lodgers authorized to be received at any one time in such room, shall put up or affix and continue such notice or placard in a suitable and conspicuous position in such room, and in such a manner that the words and figures in such notice or placard may be clearly and distinctly visible and legible.

(2) The owner or keeper of a common lodging-house shall not, at any time, wilfully conceal, deface, alter or obliterate any letter or figure in such notice or placard, or wilfully or carelessly injure or destroy such notice or placard.

Exhibition of rules.

21. Every owner or keeper of a common lodging-house, on receiving from the Chief Environmental Health Officer for the purpose of exhibition in such house or in any room therein, a copy or copies of any rule or rules for the time being in force with respect to common lodging-houses, shall put up or affix and continue such copy or copies in a suitable and conspicuous position in such house, or in such room, and in such a manner that the contents of such copy or copies may be clearly and distinctly visible and legible.

Access for inspection.

22. The Chief Environmental Health Officer and the environmental health officers shall have free access to all parts of a common lodging-house for the purpose of inspection, and no person

shall prevent any such officer from having access to any common lodging-house or to any part thereof, or shall obstruct any such officer in the inspection of any part of the premises or without any reasonable excuse, neglect or refuse when required by such officer to render him such assistance as may be reasonably necessary for the purpose of such inspection.

Penalty.

23. A person who contravenes any provision of these rules is guilty of an offence and is liable on summary conviction to a fine at level 4 on the standard scale.

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SCHEDULE.

Rule 2.

Forms.

FORM A. –*Notice of Maximum Number of Lodgers.*

To

of

WHEREAS, in pursuance of the statutory provision in that behalf, you have been duly registered as the owner or keeper of a common lodging-house, situate at

Now, I, the Chief Environmental Health Officer do hereby give you notice that, in the exercise of the powers conferred upon me in that behalf I have fixed as the maximum number of lodgers authorized to be received at any one time into such house, and into the several rooms therein, the number specified in respect of such house and of each of such rooms in the Schedule hereunto appended.

SCHEDULE.

Common Lodging-house situate at

Name of owner or keeper

The maximum number of lodgers authorized to be received at any one time into this house is

The maximum number of lodgers authorized to be received at any one time into each of the several rooms in this house is the number specified in respect of such room in the appropriate column of the following table:-

–	Description or number of room.	Dimensions and cubical contents of rooms.	Maximum number of lodgers.
Ground Storey.			
First Storey.			
Second Storey.			
Topmost Storey.			

For the purposes of this notice, every two children under the age of ten years may be counted as one adult person.

Dated this day of , 20

(Signed)
Chief Environmental Health Officer.

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FORM B, –*Notice of Maximum Number of Lodgers.*

Rule 3.

To

WHEREAS, in pursuance of the statutory provision in that behalf, you have been duly registered as the owner or keeper of a common lodging-house, situate at

And whereas I have determined that it is expedient to vary the number heretofore fixed by me as the maximum number of lodgers authorized to be received at any one time into such house and into the several rooms therein :

Now, I, _____, Chief Environmental Health Officer, do hereby give you notice that from and after the day of the maximum number of lodgers authorized to be received at any one time into such house and into the several rooms therein shall be the number specified in respect of such house and of each of such rooms in the Schedule hereunto appended.

SCHEDULE.

Common Lodging-house situate at

Name of owner or keeper

The maximum number of lodgers authorized to be received at any one time into this house is

The maximum number of lodgers authorized to be received at any one time into each of the several rooms in this house is the number specified in respect of such room in the appropriate column of the following table :–

–	Description or number of room.	Dimensions and cubical contents of rooms.	Maximum number of lodgers.
	Ground Storey.		
	First Storey.		
	Second Storey.		
	Topmost Storey.		

For the purposes of this notice, every two children under the age of ten years may be counted as one adult person.

