

BELIZE:

MEDICAL WASTE REGULATIONS, 2021

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BELIZE:

STATUTORY INSTRUMENT

No. 153 of 2021

REGULATIONS made by the Minister responsible for the Environment in exercise of the powers conferred upon him by sections 7, 26, 44, and 45 of the Environmental Protection Act, Chapter 328 of the Substantive Laws of Belize, Revised Edition 2011, and all other powers thereunto him enabling.

(Gazetted 18th December, 2021.)

1. These Regulations may be cited as the

Short title

MEDICAL WASTE REGULATIONS, 2021

2. In these Regulations, unless the context otherwise requires—

Interpretation.

“Chief Environmental Officer” means the Chief Environmental Officer referred to under Section 3(2) of the Environmental Protection Act;

CAP. 328.

“Department” means the Department of the Environment established under Section 3 of the Environmental Protection Act;

CAP. 328.

“Employee” includes—

- (a) a person who is employed under a contract of service;

- (b)** a person who is not employed under a contract of service but is under the general control of a generator of medical waste;
- (c)** a medical practitioner, doctor, dentist, nurse; or
- (d)** a professional who provides any service at the premises or facility of a generator of medical waste;

“Generator of medical waste” means any person, including any sole proprietor, partnership, association, not-for-profit entity, company or other corporate entity, or any public or quasi-public agency, authority, office, or department, that generates medical waste, except for medical waste generated entirely within and from residential households or dwellings, and the term includes any owner, operator, or person in control of a medical facility, hospital, outpatient centre, veterinary clinic, long-term care facility, laboratory, doctor’s office, dentist’s office, crematorium, or funeral home;

“Generator of medical waste” means any–

- (a)** person who generates medical waste;
- (b)** public or quasi-public agency, authority, office, or department that generates medical waste;

and includes a sole proprietor, partnership, association, not-for-profit entity, company or other corporate entity, or the owner, operator, or person in control of a medical facility, hospital, outpatient centre, veterinary clinic, long-term care facility, laboratory, doctor’s office, dentist’s office, crematorium, or funeral home that generates medical waste, but does not include a person who generates medical waste entirely within and from a residential household or dwelling

“General non-infectious waste” means regular non-infectious garbage;

“Hazardous waste management facility” means a facility for the collection, storage, treatment, and disposal of hazardous waste that is authorised or permitted to operate for this purpose by the Department;

“Medical waste” means any pathological and infectious waste, including blood and blood products, human or animal parts, organs, tissues, or body fluids, cultures and stocks of infectious agents and associated biological materials, sharps, or any bio-technology by-products such as genetically altered material, and includes any general non-infectious waste that has been contaminated by or that has come in contact with blood, body fluids or any other infectious waste;

“Medical waste” means any—

- (a) pathological and infectious waste, including blood and blood products, human or animal parts, organs, tissues or body fluids,
- (b) cultures and stocks of infectious agents and associated biological materials,
- (c) sharps, or
- (d) bio-technology by-products such as genetically altered material, and

includes any general non-infectious waste that has been contaminated by or that has come in contact with blood, body fluids or any other infectious waste;

“Sharps” includes needles, scalpels, blades, stylets, lancets and broken glass; and

“Transporter of medical waste” means any person who transports medical waste from the premises or facility of a generator of medical waste.

Application
of these
Regulation.

3.- (1) These Regulations shall apply to-

- (a) any generator of medical waste, to his employees or persons who enter and use his premises or facility;
- (b) any transporter of medical waste; and
- (c) any other person where appropriate or where stated or where the context so requires.

(2) The obligations imposed by these Regulations shall be in addition to those imposed by the Hazardous Waste Regulations and any other law in force in Belize.

(3) These Regulations shall be administered and enforced by the Chief Environmental Officer and the Department.

PART I

Proper
Medical Waste
Handling

4.- (1) Subject to the provisions of these Regulations or any other law, the Chief Environmental Officer may make policies or rules and issue orders or directives for the proper handling, storage, treatment, and disposal of medical waste.

(2) A generator of medical waste or any person to whom a policy, rule, directive, or order applies, shall comply with any policy, rule, order, or directive made by the Chief Environmental Officer in accordance with sub-regulation (1) above.

(3) A generator of medical waste shall ensure that his employees or persons who enter his premises or facility comply will any policy, rule, order, or directive made by the Chief Environmental Officer in accordance with sub-regulation (1) above.

Chief Environmental Officer may make orders, etc.

PART II

Diversion, Detention and Arrest

5.-(1) A generator of medical waste shall at all times have in place a system, approved by and satisfactory to the Chief Environmental Officer, to ensure the proper handling, storage, treatment, and disposal of medical waste.

Requirement for system for proper disposal, etc.

(2) The system required by sub-Regulation (1) above shall contain at a minimum-

- (a) a written Medical Waste Management and Disposal Policy and Plan;
- (b) an adequate training programme for employees dealing with medical waste;
- (c) mechanisms that enable the proper recording and tracking of medical waste;
- (d) mechanisms that enable the quick reporting of contamination or breaches of the policy, plan, protocols, or procedures for handling medical waste;
- (e) an emergency plan that addresses emergencies caused by contamination;
- (f) methods of treatment and disposal of medical waste that are approved by the Chief Environmental Officer; and

- (g) any other requirements set by the Chief Environmental Officer.

(3) A generator of medical waste shall establish and maintain a committee, comprised of senior members of staff, or where a committee is not practical owing to the small size of the business, it shall designate one senior member of staff, to properly develop, implement, monitor, supervise, review, and update the policies, plans, protocols, and procedures to properly deal with medical waste.

Requirement to use reasonable and proper care.

6.-(1) A generator of medical waste, and any person handling medical waste, shall at all times use all reasonable and proper care to prevent leakage, spillage, contamination, or improper handling of medical waste so as to protect health and safety.

(2) Any person handling medical waste shall wear protective equipment, including, where appropriate and as required by the Chief Environmental Officer, protective overalls, heavy duty gloves, hats, masks or other face shields, and rubber boots.

(3) Any person handling medical waste shall adhere to reasonable standards for hygiene, including to keep his fingernails cut short and clean at all times, wash hands frequently, and ensure that his protective equipment is properly maintained.

(4) A generator of medical waste shall-

(a) take all reasonable and proper steps to ensure that his employees and persons who enter his premises, comply with sub-regulations (1), (2), and (3),

(b) provide the equipment specified in this Regulation; and

- (c) provide adequate training in the proper use of equipment for his employees.

7.- (1) A generator of medical waste shall at the point of origin or at the point when the medical waste is generated ensure that at all times there is in place at his premises or facility a proper system of,

Requirement
for proper
sorting.

- (a) sorting the different types of medical waste;
and
- (b) sorting medical waste from general non-infectious waste,

(2) A generator of medical waste shall at all times ensure that the different types of medical waste are properly segregated and that medical waste is properly segregated from general non-infectious waste so as to prevent contamination.

(3) A generator of medical waste shall, and shall ensure that his employees place-

- (a) medical waste, other than sharps, in a container prominently marked with the universal biohazard symbol and the word "biohazard" and that the container is lined with a sturdy red plastic bag impervious to moisture with sufficient strength to resist ripping, tearing, or bursting under normal conditions of use and handling;
 - (b) general non-infectious waste in a container that is prominently marked with the words "non-infectious waste", lined with a sturdy green plastic bag which is impervious to moisture and is strong enough to resist ripping, tearing, or bursting under normal conditions of use and handling;
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- (c) pathological waste in a container that is lined with a sturdy yellow plastic bag which is impervious to moisture and strong enough to resist ripping, tearing, or bursting under normal conditions of use and handling;
- (d) unsightly pathological waste, including limbs and organs, in an opaque plastic bag that is sealed prior to removal from the point of generation;
- (e) sharps from all other medical waste and from general non-infectious waste, immediately after use, in a sealed, puncture-proof container;
- (f) hazardous waste, in a clearly labelled, leak-proof container; and
- (g) broken glass, in a box or other adequate receptacle before being placed into the waste container, in order to prevent the tearing of the bag.

(4) Notwithstanding anything contained in sub-regulation (7), a generator of medical waste, or any person employed by him, shall dispose of large quantities of blood, body fluids, or body substances, not in waste containers, but in flushed toilets, bedpan flushers, or flush sinks after these substances shall be treated with sodium hypochlorite.

(5) A generator of medical waste shall ensure that medical waste is removed, treated, and disposed of, as soon as reasonably possible in the interest of public safety and in accordance with any time requirements set by the Chief Environmental Officer.

(6) The Chief Environmental Officer may make additional polices or rules for the proper sorting, segregation, and handling of medical waste.

8.- (1) A generator of medical waste shall ensure that all medical waste stored or handled on his premises or facility, is stored properly and in accordance with these Regulations or any policies or rules made by the Chief Environmental Officer.

Requirement
for proper
storage.

(2) A generator of medical waste shall ensure that all rooms or areas within his premises or facility that is used for the storage of medical waste is uncarpeted with impervious, cleanable, non-absorbent flooring and used exclusively for waste storage.

(3) A generator of medical waste shall ensure that all rooms or areas within his premises or facility that is used for the storage of medical waste-

- (a) has prominent signage stating that the room or area stores medical waste;
- (b) be properly designated, equipped, and secured to prevent unauthorized access;
- (c) be properly equipped to protect the medical waste from natural elements or weather conditions and to prevent access by vermin and other such animals;
- (d) be properly climate controlled so as to prevent the development of infectious agents or other threats to public health;
- (e) provide sufficient space to allow for the clear separation of medical waste from general non-infectious waste and to ensure against contamination of medical waste with general non-infectious waste;
- (f) be adequate to accommodate the volume of medical waste generated at the premises or

facility prior to removal for off-site or on-site treatment; and

- (g) comply with any policy, rule, order, or directive made or given by the Chief Environmental Officer.

Requirement for proper on-site transport.

9. A generator of medical waste shall, ensure that his employees transport or move medical waste on-site within his premises or facility--

- (a) safely so as to prevent leakage, spillage, contamination, or improper handling;
- (b) during quiet times either before and after visiting hours in order to reduce the likelihood of encountering patients, other employees, and visitors; and
- (c) using a pre-determined route to or from the storage area or from the storage area to any on-site treatment area or from the storage area to an area on-site to be further transported to an off-site hazardous waste management facility.

Requirement for log.

10.-(1) A generator of medical waste shall at all times maintain a proper log of all medical waste generated, stored, or otherwise handled at his premises or facility.

(2) Any log required to be maintained in accordance with sub-regulation (1) shall be in a form prescribed in the Schedule and be adequate enough to enable the Department to carry out a verification or audit of medical waste generated, stored, or otherwise handled at any premises or facility.

Treatment and disposal.

11.-(1) A generator of medical waste shall satisfy the Department that medical waste generated at his premises or facility is treated and disposed of--

- (a) on-site in a manner approved by the Chief Environmental Officer;
- (b) at a hazardous waste management facility; or
- (c) in any other manner approved by these Regulations or by the Chief Environmental Officer.

(2) A generator of medical waste may use the following disinfection method to render medical waste non-infectious—

- (a) proper steam disinfection or autoclaving with an efficiency greater than 99.99%;
- (b) proper chemical disinfection with an efficiency greater than 99.99%;
- (c) proper on-site incineration at or above temperatures of 1800 fahrenheit, provided always that there is a secondary combustion chamber and gas emission treatment system;
- (d) off-site incineration at a hazardous waste management facility; or
- (e) any other method approved by the Chief Environmental Officer.

(3) Any generator of medical waste who uses a disinfection method referred to in sub-regulation (2) shall ensure that there is in place at all times a control and monitoring plan for the disinfection method used, and which plan is approved by the Chief Environmental Officer.

12. (1) A generator of medical waste shall transport, or permit the transporting of medical waste off-site from his premises or facility only to an approved waste management facility:

**Requirement
for proper off-
site transport.**

- (a) using transporters of medical waste approved by the Chief Environmental Officer; or
- (b) in a manner approved by the Chief Environmental Officer.

(2) A generator of medical waste shall issue a certificate to any transporter of medical waste setting out the types of medical waste being transported and ensure that the medical waste is delivered to a hazardous waste management facility.

Non-objection
for trade
license.
CAP. 85.
CAP. 86.
CAP. 87.
CAP. 66v.

13. (1) A city council or town council, established under the Belize City Council Act, the Belmopan City Council Act, or the Town Councils Act, and any trade licensing board, established under the Trade Licensing Act, shall obtain a none objection letter from the Chief Environmental Officer prior to considering or approving an application for, or a renewal for, a trade license granted in accordance with the Trade Licensing Act for any business or trade conducted within a city or town that is a generator of medical waste.

(2) A none objection letter given by the Chief Environmental Officer shall state that the Chief Environmental Officer does not object to the granting or renewal of a trade license to a business or trade that is a generator of medical waste.

(3) No city council, town council, or trade licensing board shall consider or approve or renew a trade license for any business or trade that is a generator of medical waste without obtaining a none objection letter from the Chief Environmental Officer.

(4) Prior to the Chief Environmental Officer issuing a none objection letter in accordance with this Regulation the Department shall conduct an inspection of any premises or facility belonging to, or operated by, a generator of medical waste, and the Department shall make such inquiries and

investigations of, and request such information or documents from, a generator of medical waste to satisfy the Chief Environmental Officer that the generator of medical waste can deal, or is dealing, properly with the handling, storage, treatment and disposal of medical waste in accordance with law and in accordance with any standards set by the Chief Environmental Officer.

(5) A generator of medical waste shall cooperate with any inspection, inquiry, or investigation, and provide whatever information and documents is requested by the Department in accordance with sub-regulation (4).

PART III

Offences and Enforcement

14.-(1) The Chief Environmental Officer may issue a Closure Order for any premises or facilities owned, operated, or controlled by a generator of medical waste, directing that the premises or facilities be closed forthwith for non-compliance with these Regulations or with any policy, rule, order, or directive made or issued by the Chief Environmental Office.

Closure Order.

(2) Any person, including a generator of medical waste or any of his directors, managers, officers, or employees, who receives a Closure Order issued by the Chief Environmental Officer in accordance with sub-regulation (1) shall forthwith comply with the Closure Order.

(3) Any person, including a generator of medical waste or any of his directors, managers, officers, or employees, who fail to comply with a Closure Order under sub-regulation (1), commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars or to imprisonment for a term of two years or to both such fine and term of imprisonment.

Improper disposal.

15.-(1) No person, including a generator of medical waste or any of his directors, managers, officers, or employees, shall dispose of medical waste except in accordance with these Regulations or as otherwise permitted by the Chief Environmental Officer.

(2) Any person, including a generator of medical waste or any of his directors, managers, officers, or employees, who disposes of medical waste otherwise than in accordance with these Regulations or otherwise as permitted by the Chief Environmental Officer, commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars or to a term of imprisonment for two years or to both such fine and term of imprisonment.

Offence of open burning.

16. (1) No person, including a generator of medical waste or any of his directors, managers, officers, or employees, any transporter of medical waste, or any other person who possesses medical waste shall engage in any open burning of medical waste.

(2) Any person, including a generator of medical waste or any of his directors, managers, officers, or employees, or any transporter of medical waste, or any other person who possesses medical waste, who engages in the open burning of medical waste commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars or to a term of imprisonment for two years or to both such fine and term of imprisonment.

Failure to comply with policy, etc.

17. Any person who fails to comply with a policy, rule, order, or directive of the Chief Environmental Officer made or issued under these Regulations commits an offence and is liable on summary conviction to a fine of ten thousand dollars or to a term of imprisonment for one year or to both such fine and term of imprisonment.

**Failure to
comply with
Regulations.**

18. Any person who fails to comply with any of the provisions of these Regulations commits an offense and is liable on summary conviction to a fine of ten thousand dollars or to a term of imprisonment for one year or to both such fine and term of imprisonment.

**Liability of
directors, etc.**

19. If any offence created by these Regulations is committed by a company, incorporated association, limited liability partnership, or any other incorporated body, the director, manager, or officer of that incorporated association, limited liability partnership, or any other incorporated body who commits the offence or who allows the offence to be committed or who is reckless as to the commission of the offence is liable to be charged in like effect to the company and liable to the same penalty as the company or other incorporated body.

**Administrative
fine.**

20.-(1) Without prejudice to any offences created by these Regulations, the Chief Environmental Officer may impose on any person an administrative fine of five thousand dollars in lieu of levying a charges under these Regulations for any violation of these Regulations committed by any person, including by a generator of medical waste or any of his directors, officers, managers, or employees, or on any transporter of medical waste, or on any other person who has an obligation under these Regulations.

(2) A person who is issued with an administrative fine in accordance with sub-regulation (1) shall forthwith pay the amount of the fine to the Chief Environmental Officer or as directed by the Chief Environmental Officer.

(3) Any person who fails to pay an administrative fine issued by the Chief Environmental Officer in accordance with sub-regulation (1), commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars or to a term of imprisonment for two years or to both such fine and term of imprisonment.

Prosecution.
CAP 328.

21. (1) No prosecution for an offence under these Regulations shall be commenced except with the consent of the Department or the Director of Public Prosecutions as provided under Section 42 of the Environmental Protection Act.

(2) The Chief Environmental Officer may delegate any person to prosecute any offence created by these Regulations.

(3) The offences created by these Regulations are in addition to any other offences created by any other law.

SCHEDULE
[Regulation 10]

Medical Waste (Management and Handling)

Serial No.

Form BMW-WD

Medical Waste Log Book

Name of Facility: _____

Address of facility: _____ **Contact #:** _____

Date	Time	Red Bag		Yellow Bag		Sharps		Tot. Amt / Wt.	Handed Over by	Receiver's Name & Signature
		No	Wt.	No	Wt.	No	Wt.			

MADE by the Minister responsible for the Environment this 29th day of November, 2021.

*Minister of Sustainable Development,
Climate Change and Disaster Risk
Management Environment*