



Tuvalu

EMPLOYMENT (HOUSING STANDARDS) REGULATIONS

L.N. 26/67, L.N. 41/69



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EMPLOYMENT ORDINANCE

ENACTED BY THE PARLIAMENT OF TUVALU

Commencement [Date]

1 Citation

These Regulations may be cited as the Employment (Housing Standards) Regulations.

2 Interpretation and classification of housing for workers

(1) In these Regulations, unless the context otherwise requires —

“**building**” includes unit;

“**single worker**” means a worker not accompanied by his wife or family;

“**unit**” means any self-contained and separate dwelling:

Provided that a dwelling shall not cease to be self-contained for purposes of this definition by reason only that it contains no kitchen, lavatory or bathroom.

(2) For the purposes of these Regulations, buildings for housing of workers shall be classified and defined as follows —

(a) CLASS I - PERMANENT OR SEMI PERMANENT BUILDINGS:

Buildings of this class shall include buildings with floors made of concrete or wood, and constructed of hardwood, concrete, brick, asbestos, corrugated iron or other appropriate durable materials and in conformity with the minimum standards specified in these Regulations:

Provided that the roof of any building of this class may be thatched with thatch made from coconut fronds or pandanus leaves, if such thatch is maintained in a good and weatherproof condition;

(b) **CLASS II - TEMPORARY BUILDINGS:**

Buildings of this class shall include all buildings constructed of softwood, leaf or other usual temporary materials and in conformity with the minimum standards specified in these Regulations;

(c) **CLASS III - SUB-STANDARD BUILDINGS:**

Buildings in this class shall include all buildings not falling within either CLASS I or CLASS II.

3 Minimum standard for new houses for workers

No building shall be constructed for the purpose of housing workers, and building which is not in use at the date of commencement of these Regulations shall be used, converted or adapted for such purpose unless such building is used, constructed, converted or adapted to conform with standards which are not inferior to those prescribed for buildings of CLASS I or CLASS II:

Provided however that buildings of CLASS III which are in use for the purpose of housing workers on 31st December 1967 may continue to be so used only for a period of not more than 4 years from such date unless before the expiration of such period they are converted or adapted to conform with standards not inferior to those prescribed for buildings of CLASS I or CLASS II.

4 Housing of single workers

No one room in any building shall be used for the purpose of housing more than 6 single workers and in every building used for the housing of such workers each worker shall be provided with at least 48 square feet of floor-space exclusive of any floor-space in any kitchen or bathroom.

5 Housing for workers accompanied by their families

- (1) No unit shall be used to house more than 1 worker and his family.
- (2) No unit shall be used to house any worker and his family if such family includes his wife and 3 or more children, or his wife and any child aged

more than 5 years unless such building comprises at least 2 rooms each having a floor-space of at least 96 square feet.

- (3) No unit shall be used to house any worker and his family if such family consists only of wife, or of a wife and one or 2 children aged under 5 years unless, in the case of a building of CLASS I it provides, exclusive of the floor-space of any kitchens or bathrooms, at least 144 square feet of floor space, or, being a building of CLASS II, it provides at least 2 rooms each having a floor space of at least 96 square feet.

6 Height of walls, etc.

- (1) The outer walls of any building to which the provisions of regulation 4 or regulation 5 apply and which has a thatched roof but no ceiling, shall be not less than 6 feet in height and the average height of any room in such building shall be not less than 7 feet.
- (2) The outer walls of any building to which the provisions of regulation 4 or regulation 5 apply and which has a roof made of some material other than thatch but no ceiling shall be at least 7 feet 6 inches in height and the average height of any room in such building shall be not less than 9 feet.
- (3) The outer walls of each storey of any building to which the provisions of regulation 4 or regulation 5 apply and which has ceilings in all the rooms of any such storey shall be not less than 7 feet 6 inches and the average height of each such room shall be not less than 8 feet.
- (4) No building shall be divided into more than 2 units for use for the purpose of housing workers without the written permission of the Commissioner to such division and use being first had and obtained; and the Commissioner, in his absolute discretion, may refuse such permission, grant it subject to such conditions as he may see fit to impose, or may suspend or cancel it.

7 Window spaces and ventilation

- (1) Any building used for the purposes of housing workers shall be provided with window spaces in the walls thereof which spaces, in the aggregate, have an area of not less than one twelfth of the floor area of such building; and each window space shall be provided with a movable pane or shutter which is capable of completely filling such space or which may be raised or otherwise moved so as to leave it completely open.
- (2) Each room in any building used for the housing of workers shall be so constructed as to permit adequate ventilation thereof at all times and to provide permanent ventilation in the upper part of the walls amounting to not less than one twenty-fourth of the floor.

8 Beds

All buildings of CLASS I used for the housing of workers shall be provided with sufficient beds or sleeping platforms reasonably to accommodate the occupants of such buildings:

Provided however that there shall be a separate bed or sleeping platform for each single worker not accompanied by his family.

9 Kitchens

- (1) A kitchen shall at all times be provided within, or within reasonable distance of, any building used for the purpose of housing workers unless such workers receive reasonable quantities of cooked rations from their employers.
- (2) No such kitchen shall —
 - (a) be shared during any 1 day by more than 24 single workers;
 - (b) be shared during any 1 day by more than 1 worker and his family;
 - (c) be without an adequate smoke-hood and flue or other adequate means for dispersing or removing smoke or fumes from cooking operations;
 - (d) be smaller in area than 48 square feet if not part of any other building or smaller in area than 30 square feet if part of a building of CLASS I; or
 - (e) form part of any CLASS II building used by workers for the purpose of sleeping.

10 Siting of buildings

- (1) No building of CLASS I shall be within 23 feet of any other building except a kitchen or bathroom intended for the use of persons housed in the first mentioned building.
- (2) No building of CLASS II shall be within 30 feet of any other building except a kitchen, or bathroom intended for the use of persons housed in the first mentioned building.

11 Drainage

On the sites of all buildings used for the housing of workers adequate drainage shall be provided to ensure that no stagnant water lies on the surface of the ground in the vicinity of such building.

12 Penalty

Any person who requires or permits any worker to reside in any building which contravenes the provisions of these Regulations or in respect of which building the kitchen, siting, drainage or other thing is not provided as required by these Regulations shall commit an offence in respect of each such worker and shall be liable to a fine of \$50 and to imprisonment for 3 months

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References