

**[ DOH, January 30, 1998 ]**

**IMPLEMENTING RULES AND REGULATIONS OF CHAPTER VIII —  
"PUBLIC SWIMMING OR BATHING PLACES" OF THE CODE ON  
SANITATION OF THE PHILIPPINES (P.D. 856)**

To carry out the provisions of Chapter VIII — "Public Swimming or Bathing Places" of the Code on Sanitation of the Philippines (P.D. 856), these rules and regulations are hereby formulated for implementation and strict compliance of all concerned.

*SECTION 1. SCOPE* — These implementing rules and regulations shall apply to all public swimming or bathing places including pools, bathhouses, bathing beaches and other natural bathing areas operated by individuals, corporations, partnerships, government agencies or instrumentalities, institutions or establishments but does not include private pools, private bathhouses, private bathing beaches or other private natural bathing areas.

*SECTION 2. DEFINITION OF TERMS* — As used in these rules and regulations, the following terms shall mean:

2.1 *BACK DRAIN* — a hole to allow water to escape from behind a retaining wall and thus reduce the pressure behind it.

2.2 *BATHHOUSE* — an establishment having individual showers and wash basin facilities.

2.3. *BATHING LOAD* — the maximum capacity of a swimming pool/bathing place.

2.4 *BACKWASHING* — washing of a filter by reversing flow of water through it to remove accumulated impurities.

2.5 *DEPARTMENT* — the Department of Health.

2.6 *DIATOMACEOUS EARTH FILTERS* — microscopic fossils of marine plants used in the filtering systems of swimming pools.

2.7 *ESTABLISHMENT* — a collective term construed to include hotels, motels, tourist courts, resorts, apartments or condominium houses, clubhouses, sports and recreation areas, religious areas, and other similar establishments with public swimming pools, bathhouses and other swimming or bathing places, facilities, and premises, including all appurtenances thereto.

2.8 *FILL AND DRAW SWIMMING POOL* — a pool filled with fresh water, used, drained, cleaned, and refilled.

2.9 *HEALTH CERTIFICATE* — a certification in writing, using the prescribed form, and

issued by the municipal or city health officer to a person after passing the required physical and medical examinations and immunizations if deemed necessary and found to be free from communicable, contagious or infectious diseases or any other disease which may disqualify a particular person from working in any establishment.

2.10 *LIFEGUARD* — an expert swimmer trained on life saving procedures employed at a public bathing place to safeguard bathers and to prevent drowning.

2.11 *LOCAL GOVERNMENT UNIT* — the local political subdivision which refers to the province, city, municipality or barangay.

2.12 *LOCAL HEALTH AUTHORITY* — an official or employee responsible for the application of a prescribed health measure in a local political subdivision. For a province, the local health authority is the governor and for a city or municipality, the local health authority is the mayor.

2.13 *LOCAL HEALTH OFFICER* — the provincial, city or municipal health officer.

2.14 *NATURAL BATHING PLACES* — include streams, rivers, lakes, beaches, springs, falls, tidal waters and other natural bodies of water.

2.15 *OPERATOR* — the owner, manager, administrator, or the actual holder of the sanitary permit of the establishment.

2.16 *PRIVATE SWIMMING POOL, BATHHOUSE, BATHING BEACH OR NATURAL BATHING AREA* — a bathing place used only by an individual, his family or house guests for non-commercial purposes.

2.17 *PUBLIC SWIMMING POOL OR BATHING PLACE* — a bathing place intended to be used collectively or publicly by a number of persons for swimming or bathing and other recreational purposes operated by an operator as defined herein, whether he be the owner, lessee licensee, or concessionaire regardless of whether a fee is charged or not for such use.

2.18 *RECIRCULATION SWIMMING POOL* — a pool filled by continuous flow of water, either fresh water from the source of supply or water which, has been filtered and recirculated.

2.19 *REGIONAL DIRECTOR* — an official who heads a regional health office of the Department of Health.

2.20 *SAFETY* — the condition of being free from danger which may cause accidents or diseases.

2.21 *SANITARY ENGINEER* — a person duly registered with the Board of Examiners for Sanitary Engineers (Republic Act 1364) and who heads or works with the sanitation division/section/unit of the provincial/city/municipal health office or employed with the Department of Health or its regional health offices.

2.22 *SANITATION INSPECTOR* — a government official or personnel employed by the national, provincial, city or municipal government, who enforces sanitary rules, laws and regulations and implements environmental sanitation activities under the

supervision of the provincial/city/municipal health officer/sanitary engineer.

2.23 *SANITARY PERMIT* — the certification in writing by the city or municipal health officer or in his absence, by the chief or head of the sanitation division/section/unit that the establishment complies with the existing sanitation requirements upon evaluation or inspection conducted in accordance with Presidential Decree Nos. 522 and 856 and its implementing rules and regulations and local ordinances.

2.24 *SECRETARY* — the Secretary of Health.

2.25 *SEPTA* — steel shell of metal, stone, or plastic containing porous elements (tubes, leaves, disks, or trays) with openings generally less than 1.27 millimeters (0.005 inch).

2.26 *SKIMMER* — a device for removing floating pollutants in a swimming pool.

2.27 *SWIMMING POOL OR "POOL"* — any concrete or masonry structure, basin, tank, located either indoors or outdoors, used for bathing or swimming, diving or recreational purposes, religious or therapeutic healing purposes, and filled with a controlled water supply and having a depth of 91 centimeters (3 feet) or more at any point, together with appropriate buildings and appurtenances used in connection therewith.

2.28 *VERMIN* — a group of insects or small animals such as flies, mosquitoes, cockroaches, lice, bedbugs, mice and rats that are vectors of diseases.

2.29 *VERMIN ABATEMENT PROGRAM* — a series of preventive and control procedures and activities of vermin control in the establishment.

2.30 *WADING POOL* — any concrete or masonry structure, basin, tank, located either indoors or outdoors, used for bathing or swimming, recreational purposes, and religious or therapeutic heating purposes, and filled with a controlled water supply and having a maximum depth of 91 centimeters (3 feet) or below at any point.

### *SECTION 3. SANITARY REQUIREMENTS FOR OPERATING PUBLIC SWIMMING OR BATHING PLACES*

#### **3.1 Sanitary Permit**

3.1.1 No public swimming pools, bathhouses, bathing places and establishments and facilities shall be operated for public use without a sanitary permit (EHS Form No. 101) issued by the local health officer.

3.1.2 Any extension or additional construction or alteration in an establishment shall require a new sanitary permit before it could operate.

3.1.3 *Application or Renewal of Sanitary Permit.*

a. The application or renewal of sanitary permit shall be filed with the city or municipal health office having jurisdiction over the establishment utilizing EHS Form No. 110.

b. The sanitary permit shall be issued only upon compliance to at least a satisfactory rating utilizing the Sanitary Inspection of Public Places Establishment Form (EHS Form No. 103-B).

c. Fees shall be paid to the local government unit upon application, renewal and noting of sanitary permits. The amount of fees shall be set through local ordinance.

3.1.4 *Noting of Permit.* — If there is a change in ownership of the establishment, the new owner shall apply at the city/municipal health office within fourteen (14) working days to have such change noted in the records and sanitary permit and shall pay the corresponding fee for such noting.

3.1.5 *Validity.* — The sanitary permit shall be valid on the day of issuance until the last day of December of the same year, and shall be renewed every beginning of the year, thereafter.

3.16 *Revocation/Suspension.* — Upon the recommendation of the local health officer, the sanitary permit shall be suspended or revoked by the local health authority upon violation of any sanitary rules and regulations.

3.1.7 *Posting of Permit.* — The sanitary permit shall be posted in a conspicuous place of the establishment for public information and shall be available for inspection by authorized health and other regulatory personnel.

3.1.8 *Record of sanitary permit.*

a. Every city or municipality shall keep a record of all establishments that have been issued sanitary permit and renewal thereof.

b. The record shall in every case show the following:

i. The name and address of the holder of the sanitary permit who in every case shall be the actual operator of the establishment;

ii. The location of the establishment;

iii. The nature/kind of business for which the permit has been issued;

iv. The date the first permit was issued and the dates of any renewal hereof;

v. Every change of occupation and management of the establishment since the first permit was issued;

vi. Sanitary conditions under which the permit was issued or every renewal thereof granted; and

vii. The revocation of the sanitary permit.

c. The record shall be available at all reasonable times for inspection by any authorized officer of the Department of Health or local government unit.

### **3.2 General Sanitary Requirements for Public Swimming or Bathing Places**

— The following requirements shall be enforced:

#### **3.2.1 *Water Supply***

a. The drinking water supply for the establishment shall be in accordance with Chapter II — "Water Supply" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations and shall conform with the Philippine National Standards for Drinking Water.

b. All portions of the water distribution system serving the swimming pool and auxiliary facilities shall be protected against backflow. Water introduced into the pool, either directly or to the recirculation system, shall be supplied through an air gap. When such connections are not possible, the supply shall be protected by a suitable backflow preventer installed in the discharge side of the last control valve to the fixture, device, or appurtenances.

#### **3.2.2 *Food and Drinks***

a. Handling, storage and serving of food and drinks in the establishment shall be in accordance with Chapter III — "Food Establishments" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

#### **3.2.3 *Sewage Disposal and Drainage***

a. The sewer system shall meet the minimum requirements to serve the facility, including bathhouse, locker room, and related accommodations.

b. There shall be no direct physical connection between the sewer system and any drain from the swimming pool or recirculation system. Any swimming pool or gutter drain or overflow from the recirculation system when discharged to the sewer system, storm drain or other approved natural drainage course shall connect through a suitable air gap so as to preclude possibility of backup of sewage or waste into the swimming pool piping system.

c. The sanitary sewer serving the swimming pool and auxiliary facilities (applicable also to all other public swimming and bathing places) shall discharge to the public sewer system, or in the absence thereof in a manner complying with Chapter XVII — "Sewage Collection and Disposal, Excreta Disposal and Drainage" of the Code on Sanitation of the Philippines, (P.D. 856) and its implementing rules and regulations.

#### **3.2.4 *Dressing Rooms***

a. All public swimming and bathing places shall have a separate dressing room and bathhouse for each gender and facilities for checking of clothes. Entrances and exits of dressing rooms shall be located to break the line of sight.

b. Floors of dressing and locker rooms shall be of smooth-finished, material with non-slip surface, impervious to moisture, without cracks or joints, properly sloped to a drain to permit washing.

c. Walls, partitions and lockers shall be made of smooth, impervious material, free