

NEW ZEALAND STANDARD

**Model general bylaws**

CHAPTER 16 : 1972

**PUBLIC SWIMMING POOLS**

Superseding NZS 791, Part 14

**STANDARDS ASSOCIATION OF NEW ZEALAND**  
**WORLD TRADE CENTER, 15-23 STURDEE STREET, WELLINGTON**  
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## COMMITTEE REPRESENTATION

This Part of the model general bylaws was prepared under the supervision of the Local Government Sectional Committee (92) for the Standards Council established under the Standards Act 1965. The sectional committee consisted of representatives of the following:

- Department of Health.
- Department of Internal Affairs.
- Fire Service Council.
- \*Municipal Association of New Zealand.
- New Zealand Counties Association.
- \*New Zealand Institute of County Clerks.
- New Zealand Institute of County Engineers.
- \*New Zealand Institute of Town Clerks and Municipal Treasurers.
- New Zealand Institution of Engineers (Municipal Division).

The Miscellaneous Bylaws Committee (2/8/13) was responsible for the drafting of this Part, and consisted of representatives of the organizations marked with an asterisk (\*) in the foregoing list.

## FOREWORD

NZS 791 : Part XIV, *Public baths and swimming pools*, was first published in 1952. This standard supersedes that edition.

The committee was assisted in the revision of this Part of the model general bylaws by 2 representatives of the New Zealand Association of Swimming Pool Managers.

The title of this model bylaw has been amended to read *Public swimming pools* as it was felt in New Zealand the term "public baths" was no longer used, and throughout the text the words "swimming pool" have been used instead of "bath".

Provisions have been included to permit the local authority or superintendent to close the swimming pool in an emergency, and to charge fees for granting coaching and teaching rights, provided the local authority may reserve to itself any coaching or teaching rights.

Persons wearing medical dressings are now prohibited from using the swimming pool, and the control over improper use of the swimming pool has been tightened. Unnecessary loitering and the causing of undue noise, for instance by portable radios, is now forbidden.

The superintendent now has power to prohibit anyone, who has been asked to leave the pool, from re-entering it for such period as he deems fit.

## RELATED LEGISLATION

	Clause reference herein
Litter Act 1968	1617.1

NEW ZEALAND STANDARD  
MODEL GENERAL BYLAWS

*Chapter 16*

**PUBLIC SWIMMING POOLS**

**1601 Interpretation**

1601.1 In this Part of this bylaw—

**PUBLIC SWIMMING POOL** (hereinafter called **SWIMMING POOL**) means any swimming pool under the control for the time being of the local authority for use by the public or any section thereof and includes every portion of any premises used in connection with such purposes.

**THE SUPERINTENDENT** includes any attendant for the time being employed by the local authority to control or manage or to assist in the control and management of any swimming pool.

**1602 Use of swimming pool**

1602.1 The swimming pool shall be open for use during such periods as may from time to time be prescribed by the local authority by resolution.

1602.2 The local authority may in like manner at any time and from time to time alter, amend, or vary in any manner any period or periods for the time being fixed in respect to the use of any swimming pool, and may restrict the use of the swimming pool, or any part thereof, to any class or group of persons during any specified period or periods.

1602.3 The local authority may close any swimming pool or any part thereof to the public for any period or periods for the purpose of holding swimming competitions, sports, or other such performances.

1602.4 The local authority may close any swimming pool or any part thereof to the public on any day or days in the year for the purpose of cleaning or repairing the same, or for any other cause or purpose which the local authority may deem necessary or proper.

1602.5 If in the opinion of either the local authority or the superintendent an emergency or other situation warrants the immediate closing for public

use of any swimming pool or any part thereof, the local authority or the superintendent as the case may be may forthwith close such swimming pool for use by the public until in the opinion of the local authority or the superintendent such emergency or other situation ceases to exist.

### **1603 Charge for admission**

1603.1 The charges for admission shall be such as the local authority shall from time to time by resolution determine.

### **1604 Children under the age of 5 years**

1604.1 Children under the age of 5 years shall not be permitted to enter any swimming pool unless in the charge of a person who—

- (a) Is entitled under this Part of this bylaw to admission to the swimming pool at the time when application by or on behalf of such child is made; and
- (b) In the opinion of the superintendent is a person competent to be in charge of that child in such swimming pool.

### **1605 Males not to enter**

1605.1 No male person over the age of 5 years shall enter upon any changing room or any portion thereof for the time being set apart exclusively for females except for the purpose of rendering assistance in case of accident.

### **1606 Females not to enter**

1606.1 No female person over the age of 5 years shall enter upon any changing room or any portion thereof for the time being set apart exclusively for males except for the purpose of rendering assistance in case of accident.

### **1607 Teachers**

1607.1 The local authority may in its discretion for such fees and under such terms and conditions and during such periods as the local authority may decide, grant rights or permission to use any swimming pool or part thereof for the purpose of coaching or teaching swimming with or without monetary reward and may refuse to grant or renew such rights or permission in any case without assigning any reason, and may at any time cancel any such permission which may have been granted, and no swimming pool shall be used for the coaching or teaching of swimming without the prior permission of the local authority:

Provided always that the local authority may reserve to itself any rights to

use the swimming pool for the purpose of coaching or teaching and itself arrange for such coaching or teaching, under such terms and conditions during such periods and for such fees as the local authority may decide.

**1608 Maximum period for use of shower baths**

1608.1 No person shall occupy any shower bath for more than 5 minutes on any one occasion.

**1609 Sports**

1609.1 The local authority may at any time in its discretion grant permission to any swimming club, or other person or persons, to use any swimming pool for swimming competitions, sports, or other such performances, and to charge the public for admission at such rates and on such terms as the local authority may decide.

**1610 Dogs excluded**

1610.1 No person using or entering the swimming pool shall cause or allow any dog belonging to him or under his control or accompanying him to enter or remain in any swimming pool or any part thereof.

**1611 Persons acting improperly may be excluded**

1611.1 No person within the precincts of any swimming pool shall use any indecent, obscene, or insulting language or behave in any indecent, offensive, disorderly or improper manner, and any person so offending shall upon request of the superintendent immediately leave the swimming pool, but shall nevertheless be liable also to be prosecuted for the breach of or as being guilty of an offence, and the failure so to leave the swimming pool shall constitute a further offence.

**1612 Persons intoxicated or diseased**

1612.1 No person shall enter, remain in, or use any swimming pool —

- (a) When intoxicated or under the influence of drugs or suffering from any communicable disease; or
- (b) When wearing any medical dressing, bandage, sticking plaster, or any other adhesive material.

**1613 Gaining admission without paying**

1613.1 No person shall gain or attempt to gain admission to any swimming pool without duly paying to the superintendent the proper charge or producing to him a ticket conferring a right to admission; or shall gain or attempt to gain admission when the swimming pool is not open to such

person; or shall use or attempt to use the swimming pool or any part thereof or any room, compartment, or convenience at the swimming pool contrary to any of the provisions of this Part of this bylaw.

#### **1614 Improperly seeking admission**

1614.1 No person using or seeking to use the swimming pool or any part thereof shall by forcible or improper means seek admission to the swimming pool or any part thereof when or where in terms of this Part of this bylaw the same shall not be open to such person, nor when the swimming pool or the changing rooms are occupied by the full number of persons who can, in the judgment of the superintendent, conveniently use the same at one and the same time, nor to any changing room or compartment or shower bath before any person, who, in the judgment of the superintendent, is by priority of admission to the swimming pool entitled to prior admission to such changing room, compartment, or shower bath; nor to any shower, toilet or other part of any swimming pool to which only one person with the exception of children under 5 years of age, is permitted at any one time, when occupied by any other person.

#### **1615 Against annoyance to bathers**

1615.1 No person awaiting at the swimming pool for admission to the changing room, or having dressed after using the swimming pool, shall go in, upon, or remain in or upon any part of the swimming pool intended for the use of persons actually bathing, to the obstruction, hindrance, or annoyance of any such bather.

#### **1616 Swimming costume to be worn**

1616.1 Every person shall for the whole of the time during which such person shall use or remain in any swimming pool, except while in any changing room, toilet, or shower, wear in a proper manner adequate and sufficient swimming costume, or be otherwise sufficiently dressed. The superintendent shall be the sole judge as to the adequacy or otherwise of any swimming costume and as to whether any swimming dress is worn in a proper manner, and any person who offends against this clause shall when requested by the superintendent wear such swimming costume in a proper manner or change into adequate and sufficient swimming costume acceptable to the superintendent. Any person who fails to immediately carry out such request to the satisfaction of the superintendent shall commit a breach of this bylaw and shall upon the further request of the superintendent immediately dress and leave the swimming pool.

**1617 General restrictions in the use of swimming pools**

1617.1 No person shall —

- (a) Bet or wager, or lay odds, or agree to bet or wager, or lay odds, or pay or receive or settle any bet or wager in or about the swimming pool or any part thereof;
- (b) Smoke or use tobacco or other substance, or chew gum, or consume any food, in any swimming pool except —
  - (1) In places authorized by resolution of the local authority; or
  - (2) In staff rooms or other areas from which the public are excluded;
- (c) Write or draw on the walls of any changing room or any part of any building or accessories of the swimming pool;
- (d) Interfere with any life-saving apparatus or other property except with the consent of the superintendent;
- (e) Spit in any part of the swimming pool;
- (f) Throw any stone, sand, or any other matter, or splash any water within the precincts of the swimming pool so as to annoy or interfere with any person using the same;
- (g) Use soap in any part of the swimming pool other than in the cleansing shower bath;
- (h) Wring any swimming costume or towel above or into the swimming pool;
- (j) Cast any litter within the meaning of the Litter Act 1968 in any area of the swimming pool, except by placing in the receptacles so provided;
- (k) Use any substance or preparation whereby the water in the swimming pool may be discoloured or rendered unpleasant, turbid, or unfit for the proper use of bathers;
- (m) Wilfully or improperly foul or pollute the water in any swimming pool, or wilfully or improperly soil or defile any towel, or swimming costume, or any bathroom, changing room, closet box, or compartment, or any furniture or article therein;
- (n) Carelessly or negligently damage or destroy any towel, swimming costume, or other article supplied for use in the swimming pool;
- (o) Carelessly or negligently break or damage or, without the permission of the local authority, interfere with the due and efficient action of any apparatus or equipment used in connection with the swimming pool;
- (p) Without reasonable cause disturb, interfere with or remove any clothing or private property of any other person which for the time being has been left in any locker or on any seat or in or on any other part of any changing room, shower, toilet or other part of any swimming pool;

- (q) (1) Use in any swimming pool any kickboards, flippers, snorkels, goggles, or other swimming equipment except with the prior consent of the superintendent;
- (2) Jump, clown-dive, bomb, or speed-run in any pool set aside for diving, except in compliance with notices displayed;
- (r) (1) Dive from any part of any swimming pool other than from the immediate surround to any area of water set aside for swimming;
- (2) Run or indulge in boisterous or rough play, except supervised water sports;
- (s) Loiter unnecessarily in any part of the swimming pool; or
- (t) Cause or make any undue noise.

#### **1618 Cleanliness**

1618.1 No person who in the opinion of the superintendent is in an unclean condition shall enter the swimming pool or, having entered, shall fail to leave when requested by the superintendent so to do.

#### **1619 Shower**

1619.1 Any person requested by the superintendent to use a shower bath before entering the water of any swimming pool shall comply with such request.

#### **1620 Warning signal to be observed**

1620.1 Every person shall leave the swimming pool immediately upon the request of the superintendent over the public address system or by the sounding of a warning device.

#### **1621 Obstruction to superintendent**

1621.1 No person shall obstruct the superintendent in the exercise of his duties, or in any act lawfully done or attempted to be done by him in the execution of his duties.

#### **1622 Articles found to be handed to superintendent**

1622.1 Any person finding any article which may have been left in any bathroom or changing room or in any other part of the swimming pool shall immediately after finding such article deliver the same to the superintendent or other person acting on his behalf.

#### **1623 Against liquors**

1623.1 No person using the swimming pool, nor any officer or servant or other person employed therein, shall at any time introduce into the swim-

ming pool any intoxicating liquors, but this clause shall not apply to the superintendent in respect of his living quarters, for the use of himself or his family.

**1624 Offenders required to give names**

1624.1 Any person who in the opinion of the superintendent commits a breach of any of the provisions of this Part of this bylaw shall if so requested by the superintendent supply to the superintendent his full name and address.

**1625 Offenders to leave swimming pool**

1625.1 Any person who in the opinion of the superintendent commits a breach of any of the provisions of this Part of this bylaw shall, upon request of the superintendent, immediately leave the swimming pool and may be prohibited from re-entering the swimming pool for such period as the superintendent deems fit; but shall nevertheless be liable also to be prosecuted for the said breach and the failure so to leave the swimming pool shall constitute a further offence.