



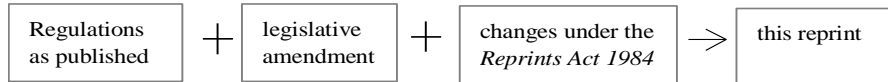
Western Australia

Health (Construction Work) Regulations 1973

Reprinted as at 11 January 2002

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Western Australia

Health (Construction Work) Regulations 1973

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 11 January 2002

Health Act 1911

Health (Construction Work) Regulations 1973

1. Citation

These regulations may be cited as the *Health (Construction Work) Regulations 1973*¹.

2. Interpretation

In these regulations, unless the context otherwise indicates —

“**construction work**” means any work in connection with the erection, installation or demolition of a building or structure that exceeds 3 storeys;

“**main contractor**” means —

- (a) a person who has contracted with the owner of work to which this Act applies, to undertake or carry out such work;
- (b) if there is no such person as is referred to in paragraph (a), in relation to the work, an owner —
 - (i) who undertakes or carries out such work; or
 - (ii) who contracts with more than one person to undertake or carry out such work;

“**site**” means the place on which construction work is carried out or is to be carried out;

“**storey**” includes any storey which is under the ground level;

r. 3

“**temporary sanitary facilities**” means such of the facilities as under regulation 4 are required by the circumstances prescribed in these regulations;

“**workman**” means any person performing construction work for reward, whether as employee, employer, main contractor or subcontractor.

3. No commencement or continuation of construction work

A main contractor —

- (a) shall not commence construction work on a site unless and until he has erected on the site temporary sanitary facilities that conform to these regulations; and
- (b) shall during the course of construction work erect and maintain temporary sanitary facilities that conform to these regulations.

4. Temporary sanitary facilities

- (1) The temporary sanitary facilities to be erected and maintained on a site by a main contractor are as follows —

Number of Workmen	Temporary Sanitary Facility
For each 20, or fraction of 20	1 water or chemical closet and 1 handbasin.
Where there are 12 or more, for each 30 or fraction of 30	1 urinal stall.

- (2) Where a site is served by a system for the disposal of sewage the temporary sanitary facilities other than the temporary sanitary facilities of a chemical closet type shall be connected to that system.
- (3) Where on a site the system for the disposal of sewage consists of an impervious tank system the contents of the system shall be

regularly removed by a contractor who is approved by a local authority.

(4) Where —

- (a) the site is not served by a system for the disposal of sewage; or
- (b) it is necessary to comply with regulation 5,

a main contractor shall install a temporary sanitary facility of the chemical closet type that —

- (c) has a capacity of not less than 60 flushes without servicing; and
- (d) has been approved by the Executive Director, Public Health or the local authority.

[Regulation 4 amended in Gazette 29 Jun 1984 p. 1782.]

5. Maximum distance of temporary sanitary facilities

Temporary sanitary facilities shall be installed at a distance from a work place that does not exceed —

- (a) 90 metres; or
- (b) the height of 2 storeys,

whichever is the lesser.

6. Removal of temporary sanitary facilities

A main contractor shall remove the temporary sanitary facilities prescribed under these regulations as soon as possible after permanent sanitary facilities in the building or structure —

- (a) are installed within the distance prescribed under regulation 5; and
- (b) are approved for use by the local authority.

7. Offences and penalties

- (1) A main contractor who contravenes a provision of the regulations specified in the Table to this subregulation commits an offence.

Table
Regulations 3 and 6

- (2) A main contractor who commits an offence under subregulation (1) is liable to —
- (a) a penalty which is not more than \$1 000 and not less than —
 - (i) in the case of a first offence, \$100;
 - (ii) in the case of a second offence, \$200; and
 - (iii) in the case of a third or subsequent offence, \$500;
 - and
 - (b) if that offence is a continuing offence, a daily penalty which is not more than \$100 and not less than \$50.

[Regulation 7 inserted in Gazette 14 Oct 1988 p. 4162.]

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Notes

- ¹ This reprint is a compilation as at 11 January 2002 of the *Health (Construction Work) Regulations 1973* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Health (Construction Work) Regulations 1973</i>	25 Jan 1974 p. 191-2	25 Jan 1974
<i>Health Legislation Amendment Regulations 1984 r. 4</i>	29 Jun 1984 p. 1780-4	1 Jul 1984 (see r. 2)
<i>Health (Offences and Penalties) Amendment Regulations 1988 Pt. 10</i>	14 Oct 1988 p. 4160-3	14 Oct 1988