



Western Australia

Health (Miscellaneous Provisions) Act 1911

## **Health (Construction Work) Regulations 1973**



## Health (Construction Work) Regulations 1973

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### Defined terms



## Health (Construction Work) Regulations 1973

### 1. Citation

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

### 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;

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

r. 3

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**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 —

<b>Number of Workmen</b>	<b>Temporary Sanitary Facility</b>
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 Chief Health Officer or the local authority.

*[Regulation 4 amended: Gazette 29 Jun 1984 p. 1782; 10 Jan 2017 p. 264.]*

**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: Gazette 14 Oct 1988 p. 4162.]*



### Notes

- <sup>1</sup> This is a compilation of the *Health (Construction Work) Regulations 1973* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

#### 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
<b>Reprint of the <i>Health (Construction Work) Regulations 1973</i> as at 11 Jan 2002</b> (includes amendments listed above)		
<i>Health Regulations Amendment (Public Health) Regulations 2016 Pt. 12</i>	10 Jan 2017 p. 237-308	24 Jan 2017 (see r. 2(b) and <i>Gazette</i> 10 Jan 2017 p. 165)

**Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
construction work .....	2
main contractor .....	2
site.....	2
storey .....	2
temporary sanitary facilities.....	2
workman .....	2