

**HE302**

**HEALTH ACT 1911**

**HEALTH (LIQUID WASTE) AMENDMENT REGULATIONS 1995**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Health (Liquid Waste) Amendment Regulations 1995*.

**Principal regulations**

2. In these regulations the *Health (Liquid Waste) Regulations 1993\** are referred to as the principal regulations.

[\* *Published in Gazette of 10 December 1993 at pp. 6625-53.*]

**Regulation 49 amended**

3. Regulation 49 of the principal regulations is amended by deleting "Commissioner" in the 7 places where it occurs and substituting in each case the following —

" Minister ".

**Schedule 1 amended**

4. Schedule 1 to the principal regulations is amended —

(a) by inserting below "Belmont" the following —

" Bunbury ";

(b) by inserting below the heading "Shires" the following —

"  
Capel  
Dardanup ".

**Transitional**

5. Schedule 1 has effect with respect to transitional arrangements.

**SCHEDULE 1**

[Regulation 5]

**Interpretation**

1. In this Schedule "new local government district" means Bunbury, Capel or Dardanup.

**Time allowed to license premises**

2. A person who, immediately before the coming into operation of these regulations, caused or permitted the removal of liquid waste from the premises where it was produced in a new local government district may continue to cause or permit the removal of liquid waste from those premises without complying with regulation 13 of the principal regulations until —

(a) the expiration of the period of 3 months after the commencement of these regulations; or

(b) under regulation 7 (2) of the principal regulations an application for a licence for the premises is refused,

whichever happens first, and for the duration of that period the premises are to be taken to be premises licensed under the principal regulations in respect of that liquid waste.

**Time allowed to obtain identification plate for tank**

3. A person who, immediately before the coming into operation of these regulations, stored liquid waste in a tank on premises in a new local government district may continue to do so without complying with regulation 15 of the principal regulations until the expiration of the period of 3 months after the commencement of these regulations and for the duration of that period a carrier operating in a new local government district is not required to comply with regulation 36 (5) of the principal regulations and a driver operating in a new local government district is not required to comply with regulation 38 (1) (e) of the principal regulations.

**Time allowed to obtain carrier's licence**

4. A person who, immediately before the coming into operation of these regulations, collected or transported liquid waste in a new local government district may continue to collect or transport the liquid waste without complying with regulation 16 of the principal regulations until —

(a) the expiration of the period of 3 months after the commencement of these regulations; or

- (b) under regulation 7 (2) of the principal regulations an application by that person for a licence as a carrier is refused,

whichever happens first, and for the duration of that period the person is to be taken to be licensed as a carrier under the principal regulations.

#### **Time allowed to obtain driver's registration**

5. A person who, immediately before the coming into operation of these regulations, was a driver of a vehicle on which liquid waste was carried in a new local government district may continue as such a driver without complying with regulation 20 of the principal regulations until —

- (a) the expiration of the period of 3 months after the commencement of these regulations; or
- (b) under regulation 7 (2) of the principal regulations an application to register the driver is refused,

whichever happens first, and for the duration of that period the person is to be taken to be registered under the principal regulations.

#### **Time allowed to register transfer facility**

6. A person who, immediately before the coming into operation of these regulations, used a container as a transfer facility in a new local government district may continue to do so without complying with regulation 23 of the principal regulations until —

- (a) the expiration of the period of 3 months after the commencement of these regulations; or
- (b) under regulation 7 (2) of the principal regulations an application to register the transfer facility is refused,

whichever happens first, and for the duration of that period the transfer facility is to be taken to be registered under the principal regulations.

#### **Time allowed to register vehicle**

7. A carrier who, immediately before the coming into operation of these regulations, used a vehicle to carry liquid waste in a new local government district may continue to do so without complying with regulation 28 of the principal regulations until —

- (a) the expiration of the period of 3 months after the commencement of these regulations; or
- (b) under regulation 7 (2) of the principal regulations an application to register the vehicle is refused,

whichever happens first, and for the duration of that period the vehicle is to be taken to be registered under the principal regulations.

#### **Appeals**

8. The amendment effected by regulation 3 of these regulations applies for the purposes of an appeal under regulation 49 of the principal regulations commenced on or after the day on which these regulations come into operation, but an appeal commenced before that day is not affected by the amendment.

By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.