

HE302

HEALTH ACT 1911  
ROTTNEST ISLAND AUTHORITY ACT 1987

HEALTH (ROTTNEST ISLAND) AMENDMENT BY-LAWS 1993

Made by the Executive Director, Public Health and approved by His Excellency the Governor in Executive Council.

**Citation**

1. These by-laws may be cited as the *Health (Rottnest Island) Amendment By-Laws 1993*.

**Principal by-laws**

2. In these by-laws the *Health (Rottnest Island) By-laws 1989\** are referred to as the principal by-laws.

[\* *Published in Gazette of 11 August 1989 at pp. 2587-619.*  
*For amendments to 24 September 1993 see 1992 Index to*  
*Legislation of Western Australia, Table 4, p. 233.*]

**By-law 4 amended**

3. By-law 4 (2) of the principal by-laws is amended in paragraph (b) by deleting "*Bacteriolytic*".

**By-law 6 amended**

4. By-law 6 (1) of the principal by-laws is amended —

(a) in paragraph (a) by deleting "by-law 49.2 of the *Uniform Building By-laws 1974*" and substituting the following —

" the Building Code of Australia as at 14 June 1993 ";

(b) in paragraph (b) by deleting "sink; and" and substituting the following —

" sink; ";

(c) by deleting paragraph (c) and substituting the following paragraph —

"  
 (c) a wood, gas or electric cooking appliance or any combination of those appliances, consisting of an oven and hot plates installed in accordance with the manufacturer's specifications and the Building Code of Australia, Part G2 as at 14 June 1993; and  
 ";

and

(d) by inserting after paragraph (c) the following paragraph —

"  
 (d) in the case of residential premises construction of which is completed on or after the date of commencement of the *Health (Rottnest Island) Amendment By-laws 1993*, a ventilation canopy or mechanical exhaust fan which complies with Australian Standard AS 1668.2-1991 entitled "The use of mechanical ventilation and air-ventilation for acceptable indoor-air quality" and effectively arrests all steam, effluvia, fumes, odours and smoke from cooking and discharges it directly to the atmosphere at a point not more than 300 mm from the ceiling.  
 ";

**By-law 38 repealed**

5. By-law 38 of the principal by-laws is repealed.

**By-law 41 amended**

6. By-law 41 of the principal by-laws is amended —

(a) by inserting after the by-law designation "41." the sub-by-law designation "(1)"; and

(b) by inserting the following sub-by-laws —

"  
 (2) The proprietor of an eating house in which the business of an eating house was being carried on before the commencement of the *Health (Rottnest Island) Amendment By-laws 1993* may apply in writing to the Executive Director, Public Health for an exemption from compliance with the whole or any part of the requirements of sub-by-law (1) and the Executive Director, Public Health may grant or refuse the application.

(3) An exemption granted under sub-by-law (2) must be signed by the Executive Director, Public Health and specify —

- (a) the eating house for which the exemption is granted;
- (b) the specific requirement or requirements, in sub-by-law (1) in relation to which the exemption is granted; and
- (c) the period for which the exemption is granted.

(4) The proprietor of an eating house must provide separate locker storage facilities, for the storage of clothing, footwear and other personal effects, for the use of persons of each sex engaged in the preparation, manufacture, processing, cooking or serving of meals.

”.

**Schedule 2 repealed and a Schedule substituted**

7. Schedule 2 to the principal by-laws is repealed and the following Schedule is substituted —

Item	Fee
1. Annual registration of an eating house	\$200.00
2. Annual licensing of a proprietor	\$20.00
3. Transfer of a licence	\$20.00

”.

Dr A. PENMAN, Executive Director, Public Health.

Approved by His Excellency the Governor in Executive Council,

D. G. BLIGHT, Clerk of the Council.