

## HEALTH LEGISLATION.

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No. 28 of 1984.

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AN ACT to amend certain Acts to make better provision for their administration and for related purposes.

[Assented to 31 May 1984.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

### PART I.—PRELIMINARY.

1. This Act may be cited as the *Health Legislation Amendment Act 1984*. Short title.

2. This Act shall come into operation on the day that the Health Legislation Administration Act 1984 comes into operation. Commencement.

## PART II.—ANATOMY ACT 1930-1971.

Citation.  
Reprinted as  
approved  
18 March 1970  
and  
amended by  
Act No. 7  
of 1971.

3. (1) In this Part the Anatomy Act 1930-1971 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Anatomy Act 1930-1984.

Section 2  
amended.

4. Section 2 of the principal Act is amended—

(a) by deleting the definition “Commissioner”;

(b) by inserting before the definition “inspector” the following definition—

“ “Executive Director” means the Executive Director, Public Health and Scientific Support Services of the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”.

General  
amendment.

5. The principal Act is amended by deleting “Commissioner” wherever occurring in the provisions of the principal Act referred to in the Schedule to this section and substituting in each case the following—

“ Executive Director ”.

## SCHEDULE.

Sections 2, 3, 6, 7, 10A, 12, 14, 16, 17, 18 and 22.

## PART III.—CLEAN AIR ACT 1964-1981.

Citation.  
Reprinted  
as approved  
20 July 1983.

6. (1) In this Part the Clean Air Act 1964-1981 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Clean Air Act 1964-1984.

7. Section 6 of the principal Act is amended in subsection (1)— Section 6 amended.

(a) by inserting after the definition “department” the following definition—

“ “Executive Director” means the Executive Director, Public Health and Scientific Support Services of the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”; and

(b) by deleting the definition “the Commissioner”.

8. Section 20 of the principal Act is amended in paragraph (a) of subsection (3) by deleting “Public Health Department” and substituting the following— Section 20 amended.

“ department of the Public Service of the State principally assisting the Minister in the administration of this Act ”.

9. The principal Act is amended by deleting “Commissioner” wherever occurring in the provisions of the principal Act referred to in the Schedule to this section and substituting in each case the following— General amendments.

“ Executive Director ”.

#### SCHEDULE.

Sections 8, 24, 27, 28, 30, 34, 50 and 53.

#### PART IV.—CREMATION ACT 1929-1968.

10. (1) In this Part the Cremation Act 1929-1968 is referred to as the principal Act. Citation. Reprinted as approved 8 April 1971.

(2) The principal Act as amended by this Act may be cited as the Cremation Act 1929-1984.

Section 2  
amended.

11. Section 2 of the principal Act is amended—

(a) by deleting the definition “Commissioner”;  
and

(b) by inserting after the definition  
“crematorium” the following definition—

“ “Executive Director” means the  
Executive Director, Public Health  
and Scientific Support Services of  
the department of the Public  
Service of the State principally  
assisting the Minister in the  
administration of this Act; ”.

Section 16  
amended.

12. Section 16 of the principal Act is amended  
by deleting “Commissioner’s” and substituting the  
following—

“ Executive Director’s ”.

General  
amendments.

13. The principal Act is amended by deleting  
“Commissioner” wherever occurring in the  
provisions of the principal Act referred to in the  
Schedule to this section and substituting in each  
case the following—

“ Executive Director ”.

#### SCHEDULE.

Sections 4, 8, 8A, 16 and 17.

#### PART V.—DENTAL ACT 1939-1981.

Citation.  
Reprinted  
as approved  
11 January  
1979 and  
amended by  
Acts Nos. 19  
of 1979,  
94 of 1980  
and 63 of  
1981.

14. (1) In this Part the Dental Act 1939-1981  
is referred to as the principal Act.

(2) The principal Act as amended by this Act  
may be cited as the Dental Act 1939-1984.

15. Section 4 of the principal Act is amended by deleting the definition "Principal Dental Officer".

Section 4  
amended.

16. Section 50A of the principal Act is amended in subsection (1) by deleting "known as the Department of Public Health" and substituting the following—

Section 50A  
amended.

" principally assisting the Minister in the administration of this Act ".

17. Section 50B of the principal Act is amended in subsection (4) by deleting "known as the Department of Public Health" and substituting the following—

Section 50B  
amended.

" principally assisting the Minister in the administration of this Act ".

#### PART VI.—ELECTORAL ACT 1907-1982.

18. (1) In this Act the Electoral Act 1907-1982 is referred to as the principal Act.

Citation.  
Reprinted as  
approved  
8 December  
1981 and  
amended by  
Acts Nos. 31  
and 123 of  
1982.

(2) The principal Act as amended by this Act may be cited as the Electoral Act 1907-1984.

19. Section 57 of the principal Act is amended in subsection (1) by deleting "Director of Mental Health Services" and substituting the following—

Section 57  
amended.

" Director, Psychiatric Services of the department principally assisting the Minister charged with the administration of the Mental Health Act 1962 ".

PART VII.—FLUORIDATION OF PUBLIC WATER  
SUPPLIES ACT 1966-1981.

Citation.  
Act No. 47 of  
1966 as  
amended by  
Act No. 63  
of 1981.

20. (1) In this Part the Fluoridation of Public Water Supplies Act 1966-1981 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Fluoridation of Public Water Supplies Act 1966-1984.

Section 2  
amended.

21. Section 2 of the principal Act is amended by inserting after the definition "Committee" the following definition—

“ “Executive Director” means the Executive Director, Public Health and Scientific Support Services of the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”.

Section 5  
amended.

22. Section 5 of the principal Act is amended—

(a) in subsection (2), by deleting “Permanent Head of the Public Health Department of the Public Service of the State” and substituting the following—

“ Executive Director ”;

(b) in subsection (4), by deleting “the person appointed deputy of the Commissioner under the Health Act, 1911,” and substituting the following—

“ a person designated by the Executive Director ”.

## PART VIII.—HEALTH ACT 1911-1983.

23. (1) In this Part the Health Act 1911-1983 is referred to as the principal Act.

Citation.  
Reprinted as  
approved  
14 May 1981  
and  
amended by  
Acts Nos. 63  
of 1981 and  
30 and 116  
of 1982.

(2) The principal Act as amended by this Act may be cited as the Health Act 1911-1984.

24. Section 3 of the principal Act is amended in subsection (1)—

Section 3  
amended.

(a) by deleting the definition “Commissioner” and substituting the following definition—

“ “Commissioner” means the person holding or acting in the office of Commissioner of Health in the Department; ”;

(b) by inserting after the definition “Dairy produce” the following definition—

“ “Department” means the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”;

(c) by inserting after the definition “Drug” the following definitions—

“ “Executive Director, Personal Health” means the person holding or acting in the office of Executive Director, Personal Health Services in the Department;

“Executive Director, Public Health” means the person holding or acting in the office of Executive Director, Public Health and Scientific Support Services in the Department; ”;

- (d) by deleting the definition “Public Health Official” and substituting the following definition—

“ “Public Health Official” means a person appointed or designated as a medical officer of health, health surveyor, inspector or public health official under section 6 or 7, as the case requires, of the Health Legislation Administration Act 1984; ”.

Section 8  
amended.

25. Section 8 of the principal Act is amended—

- (a) in subsection (1), by deleting “under the name of the “Minister of Public Health” with” and substituting the following—

“ and shall be known by such designation as is conferred on him by the Governor under the Constitution Acts Amendment Act 1899 or the Alteration of Statutory Designations Act 1974, whichever applies, and shall have ”;  
and

- (b) by inserting after subsection (2) the following subsection—

“ (3) An alteration of the designation of the Minister is hereby declared not to affect and never to have affected the corporate identity of the Minister and by force of this section the corporate identity of the Minister is continued under such designation as applies to him from time to time. ”.

Sections 9,  
10 and 11  
repealed.

26. Sections 9, 10 and 11 of the principal Act are repealed.



27. Section 39 of the principal Act is amended by inserting after "Commissioner" wherever occurring the following—

Section 39  
amended.

" , Executive Director, Personal Health,  
Executive Director, Public Health "

28. Section 216 of the principal Act is amended by repealing subsection (7).

Section 216  
amended.

29. Section 247G of the principal Act is amended in subsection (1) by deleting "of Public Health" wherever occurring.

Section 247G  
amended.

30. Section 291 of the principal Act is amended in subsection (1) by deleting "Public Health" in paragraph (a) (i).

Section 291  
amended.

31. Section 340AB is amended in subsection (3) by deleting "Public Health" in paragraph (b).

Section  
340AB  
amended.

32. Section 342 of the principal Act is amended in subsection (1) by inserting in each case after "Commissioner" wherever occurring—

Section 342  
amended.

" or the Executive Director, Public Health "

33. Section 344 of the principal Act is amended in subsection (1) by inserting after "Commissioner" in paragraph (3) the following—

Section 344  
amended.

" , the Executive Director, Public Health "

34. Section 349 of the principal Act is amended in subsection (1) by inserting after "Commissioner" the following—

Section 349  
amended.

" , the Executive Director, Personal Health, the  
Executive Director, Public Health, "

Section 351  
amended.

35. Section 351 of the principal Act is amended—

(a) in subsection (1), by inserting after “Commissioner” the following—

“ , the Executive Director, Personal Health, the Executive Director, Public Health ”;

(b) in subsection (2), by inserting after “Commissioner,” the following—

“ the Executive Director, Personal Health, the Executive Director, Public Health ”;

(c) in subsection (5), by inserting after “Commissioner” the following—

“ , the Executive Director, Personal Health, the Executive Director, Public Health ”.

Section 354  
amended.

36. Section 354 of the principal Act is amended in subsection (8) by deleting “the secretary to”.

Section 357  
amended.

37. Section 357 of the principal Act is amended by deleting “or the local authority” and substituting the following—

“ , the Executive Director, Personal Health, the Executive Director, Public Health or the local authority, as the case requires, ”.

Section 362  
amended.

38. Section 362 of the principal Act is amended in subsection (2) by inserting after “Commissioner” the following—

“ , Executive Director, Personal Health, Executive Director, Public Health, ”.

39. Section 365 of the principal Act is amended in subsection (1)— Section 365 amended.

(a) by inserting after “Commissioner” where first occurring the following—

“ the Executive Director, Personal Health, the Executive Director, Public Health ”; and

(b) by inserting after “Commissioner” where occurring in line 5 and line 9 the following—

“ , the Executive Director, Personal Health, the Executive Director, Public Health ”.

40. Section 366 of the principal Act is amended— Section 366 amended.

(a) by inserting in each case after “Commissioner” wherever occurring the following—

“ , Executive Director, Personal Health, Executive Director, Public Health, ”; and

(b) in subsection (1), by deleting “of public health”.

41. Section 369 of the principal Act is amended in subsection (1) by inserting after “Commissioner” in paragraph (c) the following— Section 369 amended.

“ , the Executive Director, Public Health ”.

42. Section 372 of the principal Act is amended in paragraph (2) by deleting “the secretary to”. Section 372 amended.

Section 376  
amended.

43. Section 376 of the principal Act is amended—

- (a) by inserting after “Commissioner” the following—

“ , the Executive Officer, Personal Health or the Executive Officer, Public Health ”; and

- (b) by deleting “the secretary to the Commissioner” and substituting the following—

“ an officer of the Department authorized for that purpose by the Commissioner ”.

Section 377  
amended.

44. Section 377 of the principal Act is amended—

- (a) in paragraph (1) by deleting “and the secretary to the Commissioner” and substituting the following—

“ , the Executive Director, Personal Health, the Executive Director, Public Health, an officer of the Department authorized for that purpose by the Commissioner ”; and

- (b) in paragraph (2) by inserting after “Commissioner” the following—

“ , the Executive Director, Personal Health, the Executive Director, Public Health ”.

General  
amendments.

45. The principal Act is amended—

- (a) by deleting “Commissioner” wherever occurring in a provision of the principal Act referred to in Part 1 of the Schedule to this section and substituting in each case the following—

“ Executive Director, Public Health ”,  
and

- (b) by deleting "Commissioner" wherever occurring in a provision of the principal Act referred to in Part 2 of the Schedule to this section and substituting in each case the following—

“ Executive Director, Personal Health ”.

#### SCHEDULE.

##### Part 1.

Sections 12, 13, 14, 15, 16, 17, 21, 22, 23, 27, 28, 29, 30, 31, 32, 34, 35, 37, 38, 49, 55, 57, 59, 70, 87, 90, 96, 97, 106, 107, 112, 115, 116, 118, 119, 120, 121, 122, 123, 131, 134, 135, 158, 167, 171, 172, 174, 174A, 175, 176, 177, 179, 180, 184, 187, 190, 192, 194, 196, 199, 201, 205, 205A, 206, 210, 214, 216, 217, 225, 226, 227, 228, 230, 235, 235A, 240, 240B, 241C, 241F, 241G, 241H, 247D, 249, 250, 251, 252, 253, 254, 255, 256, 258, 259, 261, 272, 273, 276, 277, 278, 280, 282, 284, 286, 287, 288, 289C, 290, 292, 293, 293A, 294, 295, 297, 299, 300, 300A, 301, 302, 304, 305, 307, 308, 309, 311, 313, 314, 335, 336, 336A, 336B, 338B, 338C, 340K, 340AK, 340BK, 345 and 367.

##### Part 2.

Sections 337, 338, 340.

#### PART IX—HOSPITAL FUND ACT 1930-1937.

46. (1) In this Part the Hospital Fund Act 1930-1937 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Hospital Fund Act 1930-1984.

Citation.  
Published  
in the  
Sessional  
Volume 1930  
and  
amended by  
Acts Nos. 55  
of 1931 and  
47 of 1937.

47. Section 2 of the principal Act is amended by deleting the definition of "Department" and substituting the following definition—

Section 2  
amended.

“ “Department” means the department of the Public Service of the State principally assisting the Minister in the administration of the Hospitals Act 1927. ”.

## PART X.—HOSPITALS ACT 1927-1983.

Citation.  
Reprinted as  
approved  
11 December  
1972 and  
amended by  
Acts Nos. 10  
of 1973, 104  
of 1975,  
71 of 1976,  
64 of 1980,  
43 and 63  
of 1981,  
84 of 1982 and  
85 of 1983.

48. (1) In this Part the Hospitals Act 1927-1983 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Hospitals Act 1927-1984.

Section 2  
amended.

49. Section 2 of the principal Act is amended—

(a) by deleting the definition of “Department” and substituting the following definition—

“ “Department” means the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”; and

(b) by inserting before the definition of “hospital” the following definition—

“ “Executive Director” means the Executive Director, Personal Health Services of the Department; ”.

Section 3  
amended.

50. Section 3 of the principal Act is amended in subsection (2) by deleting “Principal Medical Officer” and substituting the following—

“ Executive Director ”.

Section 6  
repealed.

51. Section 6 of the principal Act is repealed.

Section 10  
amended.

52. Section 10 of the principal Act is amended—

(a) by deleting “officer appointed under this Act” and substituting the following—

“ person authorized by the Executive Director for that purpose ”; and

- (b) in paragraph (c), by deleting “officer” and substituting the following—

“ person ”.

53. Section 11 of the principal Act is amended— Section 11 amended.

- (a) by deleting “officer” in paragraph (a) and substituting the following—

“ person authorized under section 10 of this Act ”;

and

- (b) by deleting “officer” in paragraph (b) and substituting the following—

“ person authorized under section 10 of this Act ”.

54. Section 12A of the principal Act is amended Section 12A amended. in subsection (1) by deleting “in the employment of the Department” and substituting the following—

“ engaged for the purposes of this Act ”.

55. Section 13 of the principal Act is repealed. Section 13 repealed.

56. Section 37 of the principal Act is amended Section 37 amended. in subsection (2) by deleting “Principal Medical Officer” in paragraph (a) and substituting the following—

“ Executive Director ”.

PART XI.—HUMAN TISSUE AND TRANSPLANT  
ACT 1982.

57. (1) In this Part the Human Tissue and Transplant Act 1982 is referred to as the principal Act. Citation. Act No. 116 of 1982.

(2) The principal Act as amended by this Act may be cited as the Human Tissue and Transplant Act 1982-1984.

Section 3  
amended.

58. Section 3 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting the definition “Commissioner”;

(ii) by inserting after the definition “Division” the following definition—

“ “Executive Director” means the Executive Director, Public Health and Scientific Support Services of the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”;

(b) in subsection (2), by deleting “Public Health Department” and substituting the following—

“ department principally assisting the Minister in the administration of this Act ”.

General  
amendments.

59. The principal Act is amended by deleting “Commissioner” wherever occurring in the provisions of the principal Act referred to in the Schedule to this section and substituting in each case the following—

“ Executive Director ”.

#### SCHEDULE.

Sections 3, 4, 5 and 24.



## PART XII.—MEDICAL ACT 1894-1981.

60. (1) In this Part the Medical Act 1894-1981 is referred to as the principal Act.

Citation.  
Reprinted as approved 23 January 1969 and amended by Acts Nos. 75 of 1975, 70 of 1976, 56 of 1979 and 28 of 1981.

(2) The principal Act as amended by this Act may be cited as the Medical Act 1894-1984.

61. Section 13 of the principal Act is amended in subsection (10) in the definition of “the Director” by deleting “Director of Mental Health Services under the Mental Health Act, 1962” and substituting the following—

Section 13 amended.

“ Director, Psychiatric Services of the Department of the Public Service of the State principally assisting the Minister in the administration of the Mental Health Act 1962 ”.

## PART XIII.—MENTAL HEALTH ACT 1962-1979.

62. (1) In this Part the Mental Health Act 1962-1979 is referred to as the principal Act.

Citation.  
Reprinted as approved 24 August 1979 and amended by Act. No. 67 of 1979.

(2) The principal Act as amended by this Act may be cited as the Mental Health Act 1962-1984.

63. Section 5 of the principal Act is amended—

Section 5 amended.

(a) by deleting the definitions of “Department” and “Director” and substituting the following definitions—

“ “Department” means the department of the Public Service of the State principally assisting the Minister in the administration of this Act;

“Director” means the Director, Psychiatric Services of the Department;

“Executive Director, Personal Health”, means the Executive Director, Personal Health Services of the Department; ”;

(b) by repealing the definition of “Minister”.

Section 7  
repealed.

64. Section 7 of the principal Act is repealed.

Section 8  
amended.

65. Section 8 of the principal Act is amended—

(a) by repealing subsections (1) and (2) and substituting the following subsections—

“ (1) The Director is subject to the control of the Minister, the Permanent Head and the Executive Director, Personal Health Services of the Department.

(2) The Director is responsible for the medical care and welfare of every person treated by officers or employees of the Department under this Act and for the proper operation of every approved hospital and every service established under section 19. ”;

(b) by deleting “Minister” wherever occurring in subsection (3) and substituting the following—

“ Permanent Head ”; and

(c) by repealing subsections (5), (6) and (7).

Section 10  
repealed.

66. Section 10 of the principal Act is repealed.

Section 88  
amended.

67. Section 88 of the principal Act is amended in subsection (3) by inserting after “Department” in paragraph (c) the following—

“ for the purposes of this Act ”.

68. The principal Act is amended by inserting after "Department" wherever occurring in the provisions of the principal Act referred to in the Schedule to this section the following—

General  
amendments.

“ engaged in the administration of this Act ”.

#### SCHEDULE.

Sections 31 (1), 43 (1), 45 (1), 61 (1) and 88 (2) (a).

#### PART XIV.—MINES REGULATION ACT 1946-1974.

69. (1) In this Part the Mines Regulation Act 1946-1974 is referred to as the principal Act.

Citation.  
Reprinted as  
approved 15  
October 1979.

(2) The principal Act as amended by this Act may be cited as the Mines Regulation Act 1946-1984.

70. Section 23C of the principal Act is amended by deleting "Commissioner of Public Health" wherever occurring and substituting in each case the following—

Section 23C  
amended.

“ Executive Director, Public Health and Scientific Support Services of the department of the Public Service of the State principally assisting the Minister charged with the administration of the Health Act 1911 ”.

71. Section 23D of the principal Act is amended in subsection (1) by deleting "Department of Public Health" in paragraph (g) and substituting the following—

Section 23D  
amended.

“ the department of the Public Service of the State principally assisting the Minister charged with the administration of the Health Act ”.

## PART XV.—NOISE ABATEMENT ACT 1972-1981.

Citation.  
Reprinted as  
approved 21  
January 1982.

72. (1) In this Part the Noise Abatement Act 1972-1981 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Noise Abatement Act 1972-1984.

Section 5  
amended.

73. Section 5 of the principal Act is amended—

(a) by deleting the definition “Commissioner”;

(b) by deleting the definition “Department” and substituting the following definition—

“ “Department” means the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”; and

(c) by inserting after the definition “district” the following—

“ “Executive Director” means the Executive Director, Public Health and Scientific Support Services of the Department; ”.

Section 32  
amended.

74. Section 32 of the principal Act is amended by deleting “Commissioner of Public Health” and substituting the following—

“ Executive Director ”.

Section 47  
amended.

75. Section 47 of the principal Act is amended in subsection (1) by deleting “Commissioner” and substituting the following—

“ Council ”.

76. The principal Act is amended by deleting "Commissioner" wherever occurring in the provisions of the principal Act referred to in the Schedule to this section and substituting in each case the following—

General amendments.

“ Executive Director ”.

SCHEDULE.

Sections 8, 10, 23, 24, 25, 33A, 33H, 38, 40 and 45.

PART XVI.—NURSES ACT 1968-1980.

77. (1) In this Part the Nurses Act 1968-1980 is referred to as the principal Act.

Citation.  
Reprinted as approved 14 September 1981.

(2) The principal Act as amended by this Act may be cited as the Nurses Act 1968-1984.

78. Section 6 of the principal Act is amended by deleting the definition "Department" and substituting the following—

Section 6 amended.

“ "Department" means the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”;

79. Section 28 of the principal Act is amended in subsection (7) by deleting "Director of Mental Health Services under the Mental Health Act 1962," and substituting the following—

Section 28 amended.

“ Director, Psychiatric Services of the Department ”.

PART XVII.—OCCUPATIONAL THERAPISTS  
REGISTRATION ACT 1980-1981.

80. (1) In this Part the Occupational Therapists Registration Act 1980-1981 is referred to as the principal Act.

Citation.  
Act No. 89 of 1980 as amended by Act No. 63 of 1981.

(2) The principal Act as amended by this Act may be cited as the Occupational Therapists Registration Act 1980-1984.

Section 7  
amended.

81. Section 7 of the principal Act is amended in subsection (1) by deleting paragraph (a) and substituting the following—

“ (a) one shall be the Permanent Head or a person who is nominated by the Permanent Head; ”.

Schedule  
amended.

82. The Schedule to the principal Act is amended in clause 3—

(a) by deleting “Commissioner of Public Health and Medical Services” in subclause (2) (a) (i) and substituting the following—

“ Permanent Head ”; and

(b) by deleting subparagraph (ii) of subclause (2) (a) and substituting the following—

“ (ii) being an officer nominated by the Permanent Head the nomination of the Permanent Head of that person is withdrawn; ”.

PART XVIII.—OPTICAL DISPENSERS ACT 1966.

Citation.  
Act No. 44  
of 1966.

83. (1) In this Part the Optical Dispensers Act 1966 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Optical Dispensers Act 1966-1984.

Section 3  
amended.

84. Section 3 of the principal Act is amended by deleting the definition “Commissioner”.

85. The principal Act is amended by deleting "Commissioner" wherever occurring in the provisions of the principal Act referred to in the Schedule to this section and substituting in each case the following—

General  
amendments.

“ Permanent Head ”.

#### SCHEDULE.

Sections 5, 6, 7, 8, 10 and 11.

#### PART XIX.—PHYSIOTHERAPISTS ACT 1950-1981.

86. (1) In this Part the Physiotherapists Act 1950-1981 is referred to as the principal Act.

Citation.  
Reprinted  
as approved  
1 July 1976  
and  
amended by  
Acts Nos. 9  
of 1977, 70 of  
1978 and  
63 of 1981.

(2) The principal Act as amended by this Act may be cited as the Physiotherapists Act 1950-1984.

87. Section 6 of the principal Act is amended in subsection (2) by deleting "the Permanent Head or a legally qualified medical practitioner employed within the Public Health Department of the Public Service of the State nominated by him" and substituting the following—

Section 6  
amended.

“ a legally qualified medical practitioner employed within the department of the Public Service of the State principally assisting the Minister in the administration of this Act who is nominated by the Minister ”.

#### PART XX.—POISONS ACT 1964-1981.

88. (1) In this Part the Poisons Act 1964-1981 is referred to as the principal Act.

Citation.  
Reprinted as  
approved 3  
December  
1982.

(2) The principal Act as amended by this Act may be cited as the Poisons Act 1964-1984.

Section 4  
amended.

89. Section 4 of the principal Act is amended by inserting after "Commissioner" the following—

" of Public Health appointed under the Health Act 1911 ”.

Section 5  
amended.

90. Section 5 of the principal Act is amended—

(a) by deleting the definition of "Commissioner";

(b) by inserting after the definition of "dentist" the following definition—

" "department" means the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”; and

(c) by inserting after the definition of "drug of addiction" the following definition—

" "Executive Director" means the Executive Director, Public Health and Scientific Support Services in the department; ”.

Section 8  
amended.

91. Section 8 of the principal Act is amended—

(a) in subsection (2), by deleting "Commissioner of Public Health or a medical officer of the Public Health Department of the Public Service of the State nominated for the purpose by the Commissioner" in paragraph (a) and substituting the following—

" Executive Director, or a medical practitioner employed in the department nominated for the purpose by the Permanent Head ”;



(b) in subsection (3), by deleting “Department of Public Health” in paragraph (b) and substituting the following—

“ department ”; and

(c) by deleting subsection (4), and substituting the following—

“ (4) The Executive Director, or the medical practitioner nominated pursuant to subsection (2) (a) of this section if one be so nominated, shall be the Chairman of the Advisory Committee ”.

92. The principal Act is amended by deleting “Commissioner” wherever occurring in the provisions of the principal Act referred to in the Schedule to this section and substituting in each case the following—

General amendments.

“ Permanent Head ”.

#### SCHEDULE.

Sections 7, 19, 23, 24, 25, 26, 27, 28, 29, 37, 38, 39, 40, 41A, 48, 50, 59, 61, 63 and 64.

#### PART XXI.—PRISONS ACT 1981-1982.

93. (1) In this Part the Prisons Act 1981-1982 is referred to as the principal Act.

Citation.  
Act No. 115  
of 1981 as  
amended by  
Act No. 66  
of 1982.

(2) The principal Act as amended by this Act may be cited as the Prisons Act 1981-1984.

94. Section 40 of the principal Act is amended by deleting “Permanent Head of the Public Health Department” and substituting the following—

Section 40  
amended.

“ Executive Director, Public Health and Scientific Support Services of the department principally assisting the Minister charged with the administration of the Health Act ”.

## PART XXII.—RADIATION SAFETY ACT 1975-1981.

Citation.  
Act No. 44  
of 1975 as  
amended by  
Act Nos. 20  
of 1979 and  
63 of 1981.

95. (1) In this Part the Radiation Safety Act 1975-1981 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Radiation Safety Act 1975-1984.

Section 4  
amended.

96. Section 4 of the principal Act is amended by inserting after the definition "electronic product" the following definition—

“ “Executive Director” means the Executive Director, Public Health and Scientific Support Services of the department of the Public Service of the State principally assisting the Minister in the administration of this Act; ”.

Schedule to  
this Part.

97. The principal Act is amended—

(a) by deleting "Permanent Head" wherever occurring in a provision of the principal Act referred to in Part 1 of the Schedule to this section and substituting in each case the following—

“ Executive Director ”; and

(b) by deleting "Commissioner of Public Health" wherever occurring in a provision of the principal Act referred to in Part 2 of the Schedule to this section and substituting the following—

“ Executive Director ”.

## SCHEDULE.

## Part 1.

Sections 4, 7, 13, 42 (4) and 55.

## Part 2.

Sections 16 and 42 (3).

PART XXIII.—UNIVERSITY MEDICAL SCHOOL,  
TEACHING HOSPITALS ACT 1955.

98. (1) In this Part the University Medical School, Teaching Hospitals Act 1955 is referred to as the principal Act. Citation.  
Act No. 31 of  
1955.

(2) The principal Act as amended by this Act may be cited as the University Medical School, Teaching Hospitals, Act 1955-1984.

99. Section 5 of the principal Act is amended— Section 5  
amended.

(a) in subsection (2)—

(i) by deleting “under the Lunacy Act 1903; under the Mental Treatment Act 1917; under the Mental Treatment Act 1927; ” and substituting the following—

“ under the Mental Health Act 1962 or any Act repealed by that Act; ”; and

(ii) by deleting “Inspector General of the Insane” and substituting the following—

“ Director, Psychiatric Services of the department of the Public Service of the State principally assisting the Minister charged with the administration of the Mental Health Act 1962 ”; and

(b) in subsection (3), by deleting “Commissioner of Public Health” and substituting the following—

“ Executive Director, Personal Health Services in the department of the Public Service of the State principally assisting the Minister charged with the administration of the Hospitals Act 1927 ”.

PART XXIV.—WORKERS' COMPENSATION AND  
ASSISTANCE ACT 1981-1983.

Citation.  
Act No. 86  
of 1981  
amended by  
Acts Nos. 16  
and 79 of  
1983.

100. (1) In this Part the Workers' Compensation and Assistance Act 1981-1983 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Workers' Compensation and Assistance Act 1981-1984.

Section 36  
amended.

101. Section 36 of the principal Act is amended by deleting paragraphs (b) and (c) and substituting the following paragraph—

“ (b) a physician, specializing in occupational diseases, and, a physician specializing in diseases of the chest, nominated from time to time by the Permanent Head of the department of the Public Service of the State principally assisting the Minister charged with the administration of the Health Act 1911. ”.

Section 48  
amended.

102. Section 48 of the principal Act is amended in subsections (2) and (3) by deleting “Public Health Department” wherever occurring and substituting in each case the following—

“ the department of the Public Service of the State principally assisting the Minister charged with the administration of the Health Act 1911 ”.

103. Section 95 of the principal Act is amended— Section 95 amended.

- (a) in subsection (1), by deleting “Public Health Department” in paragraph (c) (v) and substituting the following—

“ department of the Public Service of the State principally assisting the Minister charged with the administration of the Health Act 1911 ”; and

- (b) in subsection (3), by deleting “Public Health Department” in paragraph (e) and substituting the following—

“ department of the Public Service of the State principally assisting the Minister charged with the administration of the Health Act 1911 ”.

#### PART XXV.—SAVINGS AND TRANSITIONAL.

104. (1) Any order, regulation, rule, by-law, agreement, determination, consent, approval, permit, licence, authorization or any other act or thing made, issued, given or done by the holder of an office referred to in an Act amended by this Act under a duty or power imposed or conferred on the holder of the office by that Act before the commencement day shall continue to have effect after that day as though made, issued, given or done under the amended Act as amended by this Act and shall have effect accordingly. Savings and transitional.

(2) Any legal proceedings commenced before the commencement day in the name or with the authorization or consent of an office holder referred to in an amended Act may be continued after that day as though commenced under the amended Act as amended by this Act.

(3) The Commissioner of Health referred to in section 6 (1) (a) of the Health Legislation Act 1984 shall as soon as reasonably practicable after the commencement day make the reports required to be made under—

(a) section 9 (2) of the Health Act 1911;

(b) section 13 of the Hospitals Act 1927; and

(c) section 8 (6) of the Mental Health Act 1962,

as in force before the commencement day with respect to the matters referred to in those provisions and in relation to the period with respect to which a report had not been made under those provisions before the commencement day.

(4) In this section—

“amended Act” means an Act amended by this Act;

“commencement day” means the day on which this Act comes into operation.

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