



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X (print)

ISSN 2204-4264 (online)

PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 10 JANUARY 2017 No. 7 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 1.00 PM

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SPECIAL GAZETTE

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Public Health Act 2016

Public Health Act 2016 Commencement Proclamation 2017

Made under the *Public Health Act 2016* section 2(c) by the Governor in Executive Council.

1. Citation

This proclamation is the *Public Health Act 2016 Commencement Proclamation 2017*.

2. Commencement

The *Public Health Act 2016* comes into operation as follows —

- (a) Part 2 Division 1 (except sections 7 and 8) and Divisions 2, 3 and 4;
- (b) Part 18 Divisions 1 and 2;
- (c) Part 20 sections 307, 308, 309, 311 and 312,

on 24 January 2017.

K. SANDERSON, Governor.

L.S.

J. DAY, Minister for Health.

Public Health (Consequential Provisions) Act 2016

Public Health (Consequential Provisions) Act 2016 Commencement Proclamation 2017

Made under the *Public Health (Consequential Provisions) Act 2016* section 2(1)(b) and (c) by the Governor in Executive Council.

1. Citation

This proclamation is the *Public Health (Consequential Provisions) Act 2016 Commencement Proclamation 2017*.

2. Commencement

The *Public Health (Consequential Provisions) Act 2016* Parts 2 and 3 come into operation on 24 January 2017.

K. SANDERSON, Governor.

L.S.

J. DAY, Minister for Health.

Note: The following subsidiary legislation comes into operation on the day on which the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation:

Aboriginal Affairs Planning Authority Amendment Regulations 2016
Agriculture and Food Regulations Amendment (Public Health) Regulations 2016
Attorney General Regulations Amendment (Public Health) Regulations 2016
Caravan Parks and Camping Grounds Amendment Regulations 2016
Child Care Services (Child Care) Amendment Regulations 2016
Commerce Regulations Amendment (Public Health) Regulations 2016

***Public Health (Consequential Provisions) Act 2016 Commencement
Proclamation 2017***

*Corrective Services Regulations Amendment (Public Health)
Regulations 2016*
Environment Regulations Amendment (Public Health) Regulations 2016
Health (Asbestos) Amendment Regulations 2016
Health Regulations Amendment (Public Health) Regulations 2016
*Mines and Petroleum Regulations Amendment (Public Health)
Regulations 2016*
Police Service Regulations Amendment (Public Health) Regulations 2016
*Road Safety Commission Regulations Amendment (Public Health)
Regulations 2016*
School Education Amendment Regulations (No. 2) 2016
Town Planning (Buildings) Uniform General Amendment By-laws 2016
Water By-laws Amendment (Public Health) By-laws 2016

Aboriginal Affairs Planning Authority Act 1972

Aboriginal Affairs Planning Authority Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Aboriginal Affairs Planning Authority Amendment Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

3. Regulations amended

These regulations amend the *Aboriginal Affairs Planning Authority Act Regulations 1972*.

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

authorised officer has the meaning given in the *Public Health Act 2016* section 4(1);

Aboriginal Affairs Planning Authority Amendment Regulations 2016**r. 5**

5. Regulation 7 amended

In regulation 7 delete “public health officials, and” and insert:

authorised officers and

R. KENNEDY, Clerk of the Executive Council.

Biosecurity and Agriculture Management Act 2007
Western Australian Meat Industry Authority Act 1976

Agriculture and Food Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Agriculture and Food Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

***Agriculture and Food Regulations Amendment (Public Health)
Regulations 2016***

Part 2 Biosecurity and Agriculture Management Regulations 2013
amended

r. 3

**Part 2 — *Biosecurity and Agriculture Management
Regulations 2013* amended**

3. Regulations amended

This Part amends the *Biosecurity and Agriculture Management Regulations 2013*.

4. Regulation 42 amended

In regulation 42 delete “*Health Act 1911*,” and insert:

Health (Miscellaneous Provisions) Act 1911,

***Agriculture and Food Regulations Amendment (Public Health)
Regulations 2016***

Western Australian Meat Industry Authority Regulations 1985 **Part 3**
amended

r. 5

**Part 3 — *Western Australian Meat Industry Authority
Regulations 1985* amended**

5. Regulations amended

This Part amends the *Western Australian Meat Industry Authority Regulations 1985*.

6. Regulation 3 amended

In regulation 3(1) insert in alphabetical order:

Chief Health Officer has the meaning given in the
Public Health Act 2016 section 4(1);

7. Regulation 10 amended

In regulation 10 delete “Executive Director, Public Health and Scientific Support Services.” and insert:

Chief Health Officer.

8. Schedule 4 amended

In Schedule 4 clause 1 delete “a meat inspector under the *Health Act 1911*,” and insert:

an authorised officer under the *Food Act 2008*,

R. KENNEDY, Clerk of the Executive Council.

Criminal Procedure Act 2004
Fines, Penalties and Infringement Notices Enforcement Act 1994
Sentencing Act 1995

Attorney General Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Attorney General Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

***Attorney General Regulations Amendment (Public Health)
Regulations 2016***

Part 2 Criminal Procedure Regulations 2005 amended

r. 3

**Part 2 — *Criminal Procedure
Regulations 2005* amended**

3. Regulations amended

This Part amends the *Criminal Procedure Regulations 2005*.

4. Schedule 1A amended

In Schedule 1A insert in alphabetical order:

Health (Miscellaneous Provisions) Act 1911

Public Health Act 2016

**Attorney General Regulations Amendment (Public Health)
Regulations 2016**

Fines, Penalties and Infringement Notices Enforcement **Part 3**
Regulations 1994 amended

r. 5

**Part 3 — *Fines, Penalties and Infringement Notices*
Enforcement Regulations 1994 amended**

5. Regulations amended

This Part amends the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

6. Schedule 1 amended

- (1) In Schedule 1 delete “*Health Act 1911*”.
- (2) In Schedule 1 insert in alphabetical order:

Health (Miscellaneous Provisions) Act 1911

Public Health Act 2016

**Attorney General Regulations Amendment (Public Health)
Regulations 2016**

Part 4 Sentencing Regulations 1996 amended

r. 3

Part 4 — *Sentencing Regulations 1996* amended

7. Regulations amended

This Part amends the *Sentencing Regulations 1996*.

8. Schedule 2 amended

In Schedule 2 delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

R. KENNEDY, Clerk of the Executive Council.

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Caravan Parks and Camping Grounds Amendment Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

3. Regulations amended

These regulations amend the *Caravan Parks and Camping Grounds Regulations 1997*.

4. Schedule 7 amended

In Schedule 7 clause 42(2) delete “Executive Director, Public Health (within the meaning of the *Health Act 1911*),” and insert:

Chief Health Officer (within the meaning of the *Public Health Act 2016* section 4(1)),

R. KENNEDY, Clerk of the Executive Council.

Child Care Services Act 2007

Child Care Services (Child Care) Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Child Care Services (Child Care) Amendment Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

3. Regulations amended

These regulations amend the *Child Care Services (Child Care) Regulations 2006*.

4. Regulation 4 amended

In regulation 4 delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

Child Care Services (Child Care) Amendment Regulations 2016

r. 5

5. Regulation 97 amended

In regulation 97(4) delete “*Health Act 1911.*” and insert:

Health (Miscellaneous Provisions) Act 1911.

R. KENNEDY, Clerk of the Executive Council.

Building Act 2011
Occupational Safety and Health Act 1984
Plumbers Licensing Act 1995

Commerce Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Commerce Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

Commerce Regulations Amendment (Public Health) Regulations 2016**Part 2** Building Regulations 2012 amended**r. 3**

Part 2 — Building Regulations 2012 amended**3. Regulations amended**

This Part amends the *Building Regulations 2012*.

4. Regulation 18 amended

In regulation 18(2)(a) delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

5. Regulation 36 amended

In regulation 36(1)(a) delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

6. Regulation 37 amended

In regulation 37(a) delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

Commerce Regulations Amendment (Public Health) Regulations 2016
Occupational Safety and Health Regulations 1996 amended **Part 3**

r. 7

**Part 3 — Occupational Safety and Health
Regulations 1996 amended**

7. Regulations amended

This Part amends the *Occupational Safety and Health Regulations 1996*.

8. Regulation 5.77 amended

In regulation 5.77(b) delete “*Health Act 1911*.” and insert:

Health (Miscellaneous Provisions) Act 1911.

Commerce Regulations Amendment (Public Health) Regulations 2016

Part 4 Plumbers Licensing and Plumbing Standards Regulations
2000 amended

r. 9

**Part 4 — Plumbers Licensing and Plumbing Standards
Regulations 2000 amended**

9. Regulations amended

This Part amends the *Plumbers Licensing and Plumbing Standards Regulations 2000*.

10. Regulation 3 amended

In regulation 3(1) in the definition of *apparatus for the treatment of sewerage* delete “section 3(1) of the *Health Act 1911*,” and insert:

the *Health (Miscellaneous Provisions) Act 1911* section 3(1);

R. KENNEDY, Clerk of the Executive Council.

Prisons Act 1981
Young Offenders Act 1994

Corrective Services Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Corrective Services Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

**Corrective Services Regulations Amendment (Public Health)
Regulations 2016**

Part 2 Prisons Regulations 1982 amended

r. 3

Part 2 — Prisons Regulations 1982 amended

3. Regulations amended

This Part amends the *Prisons Regulations 1982*.

4. Regulation 2 amended

In regulation 2(1) insert in alphabetical order:

analyst means a person approved under regulation 27(3);

5. Regulation 5 amended

- (1) In regulation 5(1) delete “Executive Director, Public Health and Scientific Support Services.” and insert:

Chief Health Officer.

- (2) In regulation 5(1a) delete “Executive Director, Public Health and Scientific Support Services” and insert:

Chief Health Officer

6. Regulation 27 amended

Delete regulation 27(3) and insert:

- (3) For the purposes of these regulations, the chief executive officer may approve a person who is employed by an approved analysis agent as an analyst.

**Corrective Services Regulations Amendment (Public Health)
Regulations 2016**

Prisons Regulations 1982 amended

Part 2

r. 7

7. Schedule amended

In the Schedule Form 1 delete “appointed as an analyst under the *Health Act 1911*” and insert:

approved as an analyst under regulation 27(3)

**Corrective Services Regulations Amendment (Public Health)
Regulations 2016**

Part 3 Young Offenders Regulations 1995 amended

r. 8

Part 3 — *Young Offenders Regulations 1995* amended

8. Regulations amended

This Part amends the *Young Offenders Regulations 1995*.

9. Regulation 2 amended

In regulation 2 insert in alphabetical order:

analyst means a person approved under
regulation 102(5);

10. Regulation 51 amended

- (1) In regulation 51(1) delete “Executive Director, Public Health.”
and insert:

Chief Health Officer.

- (2) In regulation 51(2) delete “Executive Director, Public Health”
and insert:

Chief Health Officer

***Corrective Services Regulations Amendment (Public Health)
Regulations 2016***

Young Offenders Regulations 1995 amended

Part 3

r. 11

11. Regulation 102 amended

Delete regulation 102(5) and insert:

- (5) For the purposes of these regulations, the chief executive officer may approve a person who is employed by an approved analysis agent as an analyst.

R. KENNEDY, Clerk of the Executive Council.

Conservation and Land Management Act 1984
Contaminated Sites Act 2003
Environmental Protection Act 1986

Environment Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Environment Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

Environment Regulations Amendment (Public Health) Regulations 2016**Part 2** Conservation and Land Management Regulations 2002
amended**r. 3**

**Part 2 — *Conservation and Land Management
Regulations 2002* amended****3. Regulations amended**

This Part amends the *Conservation and Land Management Regulations 2002*.

4. Regulation 98G amended

In regulation 98G(2)(f)(iii) delete “*Health Act 1911*;” and insert:

Health (Miscellaneous Provisions) Act 1911;

Environment Regulations Amendment (Public Health) Regulations 2016
Contaminated Sites Regulations 2006 amended **Part 3**

r. 5

Part 3 — *Contaminated Sites*
Regulations 2006 amended

5. Regulations amended

This Part amends the *Contaminated Sites Regulations 2006*.

6. Regulation 5 amended

In regulation 5(4) in the definition of *domestic sewage apparatus* delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

Environment Regulations Amendment (Public Health) Regulations 2016

Part 4 Environmental Protection (Controlled Waste) Regulations 2004 amended

r. 7

Part 4 — *Environmental Protection (Controlled Waste) Regulations 2004* amended

7. Regulations amended

This Part amends the *Environmental Protection (Controlled Waste) Regulations 2004*.

8. Regulation 2 amended

In regulation 2 in the definition of *apparatus for the treatment of sewage* delete “Executive Director, Public Health under the *Health Act 1911*,” and insert:

Chief Health Officer under the *Health (Miscellaneous Provisions) Act 1911*;

9. Regulation 42 amended

In regulation 42 in the definition of *material containing asbestos* paragraph (c) delete “Executive Director, Public Health under the *Health Act 1911*,” and insert:

Chief Health Officer under the *Health (Miscellaneous Provisions) Act 1911*;

Environment Regulations Amendment (Public Health) Regulations 2016
Environmental Protection (NEPM-UPM) Regulations 2013 **Part 5**
amended

r. 10

Part 5 — *Environmental Protection (NEPM-UPM)*
***Regulations 2013* amended**

10. Regulations amended

This Part amends the *Environmental Protection (NEPM-UPM) Regulations 2013*.

11. Regulation 3 amended

In regulation 3 in the definition of *landfill* paragraph (a) delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

Environment Regulations Amendment (Public Health) Regulations 2016**Part 6** Environmental Protection (Noise) Regulations 1997 amendedr. 12

Part 6 — *Environmental Protection (Noise) Regulations 1997* amended**12. Regulations amended**

This Part amends the *Environmental Protection (Noise) Regulations 1997*.

13. Regulation 8 amended

In regulation 8(2) delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

14. Regulation 11 amended

In regulation 11(2) delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

15. Regulation 19B amended

In regulation 19B(8)(a)(i) delete “Executive Director, Public Health;” and insert:

Chief Health Officer;

Environment Regulations Amendment (Public Health) Regulations 2016
Environmental Protection Regulations 1987 amended **Part 7**

r. 16

Part 7 — *Environmental Protection*
***Regulations 1987* amended**

16. Regulations amended

This Part amends the *Environmental Protection Regulations 1987*.

17. Regulation 11 amended

In regulation 11(1)(a) delete “*Health Act 1911*; or” and insert:

Health (Miscellaneous Provisions) Act 1911; or

R. KENNEDY, Clerk of the Executive Council.

Health Act 1911

Health (Asbestos) Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Health (Asbestos) Amendment Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

3. Regulations amended

These regulations amend the *Health (Asbestos) Regulations 1992*.

4. Regulation 6 amended

- (1) In regulation 6:
 - (a) in paragraph (a) delete “approval;” and insert:

approval; or

Health (Asbestos) Amendment Regulations 2016**r. 5**

(b) in paragraph (b) delete “*Regulations 2000*,” and insert:

Regulations 2004; or

(2) At the end of regulation 6 insert:

Penalty: a fine of \$10 000.

5. Regulation 7 amended

(1) In regulation 7(1)(a)(ii) delete “*Regulations 2000*,” and insert:

Regulations 2004;

(2) At the end of regulation 7(1) insert:

Penalty for this subregulation: a fine of \$10 000.

(3) At the end of regulation 7(3) insert:

Penalty for this subregulation: a fine of \$10 000.

(4) In regulation 7(4)(f) delete “*Regulations 2000*” and insert:

Regulations 2004

6. Regulation 7A amended

(1) At the end of regulation 7A(1) insert:

Penalty for this subregulation: a fine of \$10 000.

Health (Asbestos) Amendment Regulations 2016

r. 7

- (2) Delete regulation 7A(3) and (4) and insert:
- (3) A person who fails to comply with a condition imposed on an approval under subregulation (2) commits an offence.
Penalty for this subregulation: a fine of \$10 000.
- (4) A person who cuts or deliberately breaks an asbestos cement product for the purpose of, or in the course of, moving a dwelling-house built wholly or partly with an asbestos cement product commits an offence.
Penalty for this subregulation: a fine of \$10 000.

7. Regulation 8 amended

At the end of regulation 8(4) insert:

Penalty for this subregulation: a fine of \$10 000.

8. Regulation 8A amended

- (1) In regulation 8A(2) delete “shall” and insert:

must
- (2) After regulation 8A(2) insert:
- (3) A person who fails to comply with the requirement to pay for expenses incurred by the local government under subregulation (2) commits an offence.
Penalty for this subregulation: a fine of \$10 000.

Health (Asbestos) Amendment Regulations 2016**r. 9**

9. Regulation 9 amended

At the end of regulation 9(3) insert:

Penalty for this subregulation: a fine of \$10 000.

10. Regulation 11 replaced

Delete regulation 11 and insert:

11. Asbestos for disposal to be separated and contained

- (1) Subject to subregulation (2), a person commits an offence if the person —
- (a) supplies material containing asbestos to another person for the purpose of having that other person dispose of it; or
 - (b) transports material containing asbestos.

Penalty for this subregulation: a fine of \$10 000.

- (2) Subregulation (1) does not apply if the material containing asbestos —
- (a) is separated from other material for disposal where reasonably practicable; and
 - (b) is wrapped in plastic so as to prevent asbestos fibres entering the atmosphere or is contained in such other manner as is approved in writing by the Chief Health Officer.

11. Regulation 12 amended

- (1) In regulation 12(1) delete “shall” and insert:

must

Health (Asbestos) Amendment Regulations 2016

r. 12

(2) After regulation 12(1) insert:

(2) A person who fails to comply with subregulation (1) commits an offence.

Penalty for this subregulation: a fine of \$10 000.

12. Regulation 14 amended

(1) In regulation 14(2) delete “shall —” and insert:

must —

(2) In regulation 14(2) after each of paragraphs (a) to (c) insert:

and

13. Regulation 15 replaced

Delete regulation 15 and insert:

15. Offence by owner

The owner of material containing asbestos who permits another person to commit an offence under these regulations commits an offence.

Penalty: a fine of \$10 000.

15A. Offence by principal, employer or contractor

If an offence against these regulations is committed by an agent, an employee or a subcontractor, the principal, employer or contractor is also guilty of an offence and liable to the same penalty as is prescribed for the

Health (Asbestos) Amendment Regulations 2016**r. 13**

first-mentioned offence unless it is proved that the principal, the employer or contractor could not by the exercise of reasonable diligence have prevented the commission of the offence by the agent, the employee or the subcontractor.

15B. Expense incurred by CEO, Chief Health Officer or local government

The court convicting a person of an offence arising from a breach of any of the provisions of these regulations may order that person to pay, in addition to a penalty, any expense incurred by the CEO, the Chief Health Officer or the local government in consequence of the breach or non-observance of the regulation to the CEO, the Chief Health Officer or the local government, as the case requires.

15C. Penalties for continuing offences

For the purposes of the *Interpretation Act 1984* section 71, in relation to an offence committed under these regulations, the penalty for each separate and further offence committed by a person is a fine of \$1 000.

15D. Infringement notices

- (1) The offences specified in Schedule 1 are offences for which an infringement notice may be issued under the *Criminal Procedure Act 2004* Part 2.
- (2) The modified penalty specified opposite an offence in Schedule 1 is the modified penalty for that offence for the purposes of the *Criminal Procedure Act 2004* section 5(3).
- (3) The Chief Health Officer may, in writing, appoint persons or classes of persons to be authorised officers

Health (Asbestos) Amendment Regulations 2016

r. 14

or approved officers for the purposes of the *Criminal Procedure Act 2004* Part 2.

- (4) The Chief Health Officer must issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.
- (5) A local government may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the *Criminal Procedure Act 2004* Part 2.
- (6) Each local government that appoints a person as an authorised officer under subregulation (5) must issue to the officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.
- (7) A certificate of authority given to a person under the *Public Health Act 2016* section 30 has effect for the purposes of subregulation (4) or (6), whichever is relevant, if it meets the requirement in the subregulation.
- (8) For the purposes of the *Criminal Procedure Act 2004* Part 2 —
 - (a) the prescribed form of an infringement notice is set out in Schedule 2; and
 - (b) the prescribed form of a notice to withdraw an infringement notice is set out in Schedule 3.

14. Regulation 16 deleted

Delete regulation 16.

Health (Asbestos) Amendment Regulations 2016**r. 15****15. Schedules 1 to 3 inserted**

At the end of the regulations insert:

**Schedule 1 — Prescribed offences and
modified penalties**

[r. 15D(1) and (2)]

	Description of offence	Modified penalty
r. 6	Selling or supplying asbestos cement product	\$1 000
r. 7(1)	Using an asbestos cement product	\$1 000
r. 7(3)	Storing, breaking, damaging, cutting, maintaining, repairing, removing, moving or disposing of, or using any material containing asbestos without taking reasonable measures to prevent asbestos fibres entering the atmosphere	\$2 000
r. 7A(1)	Moving a dwelling-house built wholly or partly with an asbestos cement product	\$2 000
r. 7A(3)	Failing to comply with a condition on an approval	\$2 000
r. 7A(4)	Cutting or deliberately breaking an asbestos cement product for the purpose of, or in the course of, moving a dwelling-house built wholly or partly with an asbestos cement product	\$2 000
r. 8	Failing to comply with a direction in a notice	\$1 000
r. 11(1)(a)	Supplying material containing asbestos to another for the purpose of having another person dispose of it	\$1 000
r. 11(1)(b)	Transporting material containing asbestos	\$1 000

Health (Asbestos) Amendment Regulations 2016

r. 15

Description of offence		Modified penalty
r. 12	Failing to inform a person that material is or contains asbestos	\$1 000

Schedule 2 — Infringement notice

[r. 15D(8)(a)]

<i>Health (Miscellaneous Provisions) Act 1911</i> <i>Health (Asbestos) Regulations 1992</i>		Infringement notice no.
INFRINGEMENT NOTICE		
Alleged offender	Name	
	Address	
Details of alleged offence	Date or period	
	Place	
	Written law contravened	<i>Health (Asbestos) Regulations 1992</i> regulation
	Details of offence ¹	
Date of issue	Date of issue	
Issuing officer	Name	
	Office	
	Signature	
Modified penalty	\$	

Health (Asbestos) Amendment Regulations 2016**r. 15**

Penalty	\$	You do not have to pay this amount. This is the maximum fine that can be imposed if you are prosecuted in a court and convicted of this offence.
TAKE NOTICE	<p>It is alleged that you have committed the above offence.</p> <p>If you do not want to be prosecuted in court for the offence, pay the modified penalty to an Approved Officer within 28 days after the date of this notice.</p> <p>If you do not pay the modified penalty within the 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver's licence may be suspended; your vehicle licence may be suspended or cancelled; your details may be published on a website; your vehicle may be immobilised or have its number plates removed; and your property may be seized and sold.</p> <p>If you need more time to pay the modified penalty, you should contact the Approved Officer at the address below.</p> <p>Paying the modified penalty will not be regarded as an admission for the purposes of any civil or criminal court case.</p> <p>If you want this matter to be dealt with by prosecution in court, sign and date here:</p> <p>_____ / /20</p> <p>and post this notice to the Approved Officer at the address below within 28 days after the date of this notice.</p> <p>If you consider that you have good reason to have this notice withdrawn, you can write to the Approved Officer at the address below requesting that this notice be withdrawn and setting out why you consider that this notice should be withdrawn. Your letter must be received not later than 28 days after the date of this notice.</p>	

Health (Asbestos) Amendment Regulations 2016

r. 15

	<p>By post</p> <p>Tick the relevant box below and post this notice to: Approved Officer — <i>Health (Asbestos) Regulations 1992</i> [Address]</p>		
How to pay	<input type="checkbox"/> I want to pay the modified penalty. A cheque or money order (payable to Approved Officer — <i>Health (Asbestos) Regulations 1992</i>) for the modified penalty is enclosed.		
	<input type="checkbox"/> I want to pay the modified penalty by credit card. Please debit my credit card account. ²		
	[details ³]		
	Complete all details		
	<p>In person²</p> <p>Pay the cashier at: [Address]</p>		
	<p>Electronically²</p> <p>[details³]</p>		
Method of service²		Date of service	

Notes to Form —

1. The details should say what the alleged offender has done that is considered to be a contravention of the law.
2. Delete this option if not applicable.
3. Include here, when applicable, details of how a payment may be made electronically.

Health (Asbestos) Amendment Regulations 2016

r. 15

Schedule 3 — Notice to withdraw infringement notice

[r. 15D(8)(b)]

<i>Health (Miscellaneous Provisions) Act 1911</i> <i>Health (Asbestos) Regulations 1992</i>		Infringement notice no.
WITHDRAWAL OF INFRINGEMENT NOTICE		
Alleged offender	Name	
	Address	
Details of infringement notice	Infringement notice no.	
	Date of issue	
Details of alleged offence	Date or period	
	Place	
	Written law contravened	<i>Health (Asbestos) Regulations 1992</i> regulation
	Details of offence	
Approved Officer withdrawing notice	Name	
	Office	
	Signature	
Date	Date of withdrawal	

Health (Asbestos) Amendment Regulations 2016

r. 15

<p>Withdrawal of infringement notice</p> <p><i>[*Delete whichever is not applicable]</i></p>	<p>The above infringement notice issued against you for the above alleged offence has been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence, you are entitled to a refund.</p> <p style="padding-left: 40px;">* Your refund is enclosed</p> <p>or</p> <p style="padding-left: 40px;">* If you have paid the modified penalty but a refund is not enclosed, you may claim your refund by signing and dating this notice and posting it to:</p> <p style="padding-left: 40px;">Approved Officer — <i>Health (Asbestos) Regulations 1992</i></p> <p style="padding-left: 40px;">[Address]</p> <p>Your signature Date</p>
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R. KENNEDY, Clerk of the Executive Council.

Mines Safety and Inspection Act 1994
Petroleum (Submerged Lands) Act 1982
Petroleum and Geothermal Energy Resources Act 1967
Petroleum Pipelines Act 1969

Mines and Petroleum Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Mines and Petroleum Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

***Mines and Petroleum Regulations Amendment (Public Health)
Regulations 2016***

Part 2 Mines Safety and Inspection Regulations 1995 amended

r. 3

**Part 2 — *Mines Safety and Inspection
Regulations 1995* amended**

3. Regulations amended

This Part amends the *Mines Safety and Inspection Regulations 1995*.

4. Regulation 1.3 amended

In regulation 1.3 in the definition of *Health Department* delete “*Health Act 1911*” and insert:

Public Health Act 2016

Mines and Petroleum Regulations Amendment (Public Health)
Regulations 2016
Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007 amended **Part 3**

r. 5

Part 3 — *Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007 amended*

5. Regulations amended

This Part amends the *Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007*.

6. Regulation 26 amended

In regulation 26(1) in the definition of *therapeutic use* delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

Mines and Petroleum Regulations Amendment (Public Health) Regulations 2016

Part 4 Petroleum (Submerged Lands) (Occupational Safety and Health) Regulations 2007 amended

r. 7

Part 4 — *Petroleum (Submerged Lands) (Occupational Safety and Health) Regulations 2007* amended

7. Regulations amended

This Part amends the *Petroleum (Submerged Lands) (Occupational Safety and Health) Regulations 2007*.

8. Regulation 28 amended

In regulation 28(1) in the definition of *therapeutic use* delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

***Mines and Petroleum Regulations Amendment (Public Health)
Regulations 2016***

Petroleum and Geothermal Energy Resources (Management
of Safety) Regulations 2010 amended **Part 5**

r. 9

**Part 5 — *Petroleum and Geothermal Energy Resources
(Management of Safety) Regulations 2010* amended**

9. Regulations amended

This Part amends the *Petroleum and Geothermal Energy Resources (Management of Safety) Regulations 2010*.

10. Regulation 20 amended

In regulation 20(1) in the definition of *therapeutic use* delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

***Mines and Petroleum Regulations Amendment (Public Health)
Regulations 2016***

Part 6 Petroleum and Geothermal Energy Resources (Occupational Safety and Health) Regulations 2010 amended

r. 11

**Part 6 — *Petroleum and Geothermal Energy Resources
(Occupational Safety and Health)
Regulations 2010* amended**

11. Regulations amended

This Part amends the *Petroleum and Geothermal Energy Resources (Occupational Safety and Health) Regulations 2010*.

12. Regulation 29 amended

In regulation 29(1) in the definition of *therapeutic use* delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

***Mines and Petroleum Regulations Amendment (Public Health)
Regulations 2016***
Petroleum Pipelines (Management of Safety of Pipeline
Operations) Regulations 2010 amended **Part 7**

r. 13

**Part 7 — *Petroleum Pipelines (Management of Safety of
Pipeline Operations) Regulations 2010* amended**

13. Regulations amended

This Part amends the *Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010*.

14. Regulation 19 amended

In regulation 19(1) in the definition of *therapeutic use* delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

***Mines and Petroleum Regulations Amendment (Public Health)
Regulations 2016***

Part 8 Petroleum Pipelines (Occupational Safety and Health)
Regulations 2010 amended

r. 15

**Part 8 — *Petroleum Pipelines (Occupational Safety and
Health) Regulations 2010* amended**

15. Regulations amended

This Part amends the *Petroleum Pipelines (Occupational Safety and Health) Regulations 2010*.

16. Regulation 29 amended

In regulation 29(1) in the definition of *therapeutic use* delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

R. KENNEDY, Clerk of the Executive Council.

Community Protection (Offender Reporting) Act 2004
Police Act 1892
Security and Related Activities (Control) Act 1996

Police Service Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Police Service Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

Police Service Regulations Amendment (Public Health) Regulations 2016

Part 2 Community Protection (Offender Reporting) Regulations 2004
amended

r. 3

**Part 2 — *Community Protection (Offender Reporting)
Regulations 2004* amended**

3. Regulations amended

This Part amends the *Community Protection (Offender Reporting) Regulations 2004*.

4. Regulation 7 amended

In regulation 7(3) in the definition of *Department of Health* delete “*Health Act 1911*,” and insert:

Public Health Act 2016;

Police Service Regulations Amendment (Public Health) Regulations 2016
Police Force Regulations 1979 amended **Part 3**

r. 5

Part 3 — *Police Force Regulations 1979* amended

5. Regulations amended

This Part amends the *Police Force Regulations 1979*.

6. Regulation 103 amended

In regulation 103 insert in alphabetical order:

CEO (Health) has the meaning given to CEO by the
Health Legislation Administration Act 1984 section 3;

7. Regulation 1402 amended

In regulation 1402(2) delete “Commissioner of Health under the
Health Act 1911.” and insert:

CEO (Health).

Police Service Regulations Amendment (Public Health) Regulations 2016

Part 4 Security and Related Activities (Control) Regulations 1997
amended

r. 8

**Part 4 — Security and Related Activities (Control)
Regulations 1997 amended**

8. Regulations amended

This Part amends the *Security and Related Activities (Control) Regulations 1997*.

9. Regulation 44 amended

In regulation 44 in the definition of *technologist* paragraph (a) delete “section 203 of the *Health Act 1911*; or” and insert:

the *Health (Miscellaneous Provisions) Act 1911* section 203; or

10. Regulation 46 amended

In regulation 46(1) delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911)

R. KENNEDY, Clerk of the Executive Council.

Road Traffic Act 1974

Road Safety Commission Regulations Amendment (Public Health) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Road Safety Commission Regulations Amendment (Public Health) Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

**Road Safety Commission Regulations Amendment (Public Health)
Regulations 2016**

Part 2 Road Traffic (Blood Sampling and Analysis) Regulations 1975
amended

r. 3

**Part 2 — Road Traffic (Blood Sampling and Analysis)
Regulations 1975 amended**

3. Regulations amended

This Part amends the *Road Traffic (Blood Sampling and Analysis) Regulations 1975*.

4. Regulation 2 amended

In regulation 2 in the definition of *technologist* paragraph (a) delete “section 203 of the *Health Act 1911*; or” and insert:

the *Health (Miscellaneous Provisions) Act 1911* section 203; or

**Road Safety Commission Regulations Amendment (Public Health)
Regulations 2016**

Road Traffic (Urine Sampling and Analysis) Regulations 1983 **Part 3**
amended

r. 5

**Part 3 — Road Traffic (Urine Sampling and Analysis)
Regulations 1983 amended**

5. Regulations amended

This Part amends the *Road Traffic (Urine Sampling and Analysis) Regulations 1983*.

6. Regulation 3 amended

In regulation 3 in the definition of *technologist* paragraph (a) delete “section 203 of the *Health Act 1911*; or” and insert:

the *Health (Miscellaneous Provisions) Act 1911* section 203; or

R. KENNEDY, Clerk of the Executive Council.

School Education Act 1999

School Education Amendment Regulations (No. 2) 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *School Education Amendment Regulations (No. 2) 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

3. Regulations amended

These regulations amend the *School Education Regulations 2000*.

4. Regulation 28 amended

In regulation 28 delete “Executive Director of Public Health” and insert:

Chief Health Officer

School Education Amendment Regulations (No. 2) 2016**r. 4**

The note at the end of regulation 29(2) is to read:

Under the *Health (Miscellaneous Provisions) Act 1911* section 337(1) a child attending a school is required to submit to a medical or physical examination by a medical practitioner or any nurse authorised by the Chief Health Officer, and the parents or guardians of the child are required to permit such examination as the medical practitioner or nurse deems necessary.

R. KENNEDY, Clerk of the Executive Council.

Planning and Development Act 2005

Town Planning (Buildings) Uniform General Amendment By-laws 2016

Made by the Governor in Executive Council.

1. Citation

These by-laws are the *Town Planning (Buildings) Uniform General Amendment By-laws 2016*.

2. Commencement

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — when the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

3. By-laws amended

These by-laws amend the *Town Planning (Buildings) Uniform General By-laws 1989*.

4. By-law 21 amended

In by-law 21(3) delete “*Health Act 1911*” (each occurrence) and insert:

Health (Miscellaneous Provisions) Act 1911

R. KENNEDY, Clerk of the Executive Council.

Country Areas Water Supply Act 1947
Metropolitan Water Supply, Sewerage, and Drainage Act 1909
Water Agencies (Powers) Act 1984

Water By-laws Amendment (Public Health) By-laws 2016

Made by the Minister under the *Country Areas Water Supply Act 1947* section 105, the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* section 146 and the *Water Agencies (Powers) Act 1984* section 34.

Part 1 — Preliminary

1. Citation

These by-laws are the *Water By-laws Amendment (Public Health) By-laws 2016*.

2. Commencement

These by-laws come into operation as follows —

- (a) Part 1 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on the day on which the *Public Health (Consequential Provisions) Act 2016* section 5 comes into operation.

Water By-laws Amendment (Public Health) By-laws 2016**Part 2** Country Areas Water Supply By-laws 1957 amended**r. 3**

**Part 2 — Country Areas Water Supply By-laws 1957
amended****3. By-laws amended**

This Part amends the *Country Areas Water Supply By-laws 1957*.

4. By-law 1A amended

In by-law 1A(3) delete “*Health Act 1911*.” and insert:

Health (Miscellaneous Provisions) Act 1911.

5. By-law 6A amended

In by-law 6A(2) delete “*Health Act 1911*,” and insert:

Health (Miscellaneous Provisions) Act 1911,

Water By-laws Amendment (Public Health) By-laws 2016
Metropolitan Water Supply, Sewerage and Drainage By-laws **Part 3**
1981 amended

r. 6

**Part 3 — Metropolitan Water Supply, Sewerage and
Drainage By-laws 1981 amended**

6. By-laws amended

This Part amends the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

7. By-law 4.8 amended

- (1) In by-law 4.8.2 delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

- (2) In by-law 4.8.4 delete “*Health Act 1911*” and insert:

Health (Miscellaneous Provisions) Act 1911

8. By-law 5.5 amended

In by-law 5.5.1 delete “*Health Act 1911*,” and insert:

Health (Miscellaneous Provisions) Act 1911,

M. DAVIES, Minister for Water.
