

Western Australia

**Health (Notification of Cancer)
Regulations 1981**

As at 15 Mar 2002

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Western Australia

Health (Notification of Cancer) Regulations 1981

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Western Australia

Health Act 1911

Health (Notification of Cancer) Regulations 1981

1. Citation

These regulations may be cited as the *Health (Notification of Cancer) Regulations 1981*¹.

2. Commencement

These regulations shall come into operation on 1 August 1981.

3. Interpretation

In these regulations, unless the contrary intention appears —
cancer means any malignant growth of human tissue which if unchecked is likely to spread to adjacent tissue and beyond its site of origin and includes —

- (a) all *in situ* neoplasms;
- (b) all malignant neoplasms of the skin other than primary basal cell carcinoma and primary squamous cell carcinoma; and
- (c) all neoplasms of the brain, spinal cord and cranial nerves, and any other intracranial neoplasms, whether benign or malignant.

[Regulation 3 amended in Gazette 27 Feb 1996 p. 703.]

4. Cancer prescribed as a condition of health

Cancer is prescribed as a condition of health to which Part IXA of the *Health Act 1911* applies.

5. Notification by pathologist

- (1) A medical practitioner who undertakes pathological or biochemical examinations of specimens of human origin, including blood, shall, within 30 days of becoming aware that any specimen indicates that the person from whom it is taken suffers from cancer, forward to the Executive Director, Public Health a copy of any report that he may make upon the examination.
- (2) A report made under subregulation (1) in respect of any person shall include —
 - (a) the full name and address of the person;
 - (aa) the sex and date of birth of the person;
 - (b) the name of the medical practitioner by whom the person is referred for examination; and
 - (c) if the person is a patient in a hospital, the name and address of the hospital.

*[Regulation 5 amended in Gazette 29 Jun 1984 p. 1782;
27 Feb 1996 p. 704.]*

6. Notification by radiologist

A person who is in charge of any place in which cancer is treated by ionising radiation or accelerated atomic particles shall, within 30 days of the first occasion on which any person is so treated, furnish the Executive Director, Public Health with the following information in relation to that person, namely —

- (a) full name and address of the person;
- (b) sex and date of birth of the person;
- (c) the type of cancer for which that person is being treated;

- (d) the name of the medical practitioner by whom the person is referred for examination; and
- (e) if the person is a patient in a hospital, the name and address of the hospital.

[Regulation 6 amended in Gazette 29 Jun 1984 p. 1782; 27 Feb 1996 p. 704.]

7. Fee for notification

A fee of \$4 for each person in respect of whom notification is made under regulation 5 or 6 is payable to the person who makes the notification to the Executive Director, Public Health.

[Regulation 7 inserted in Gazette 27 Feb 1996 p. 704.]

8. Executive Director, Public Health may require further particulars

- (1) Where the Executive Director, Public Health is notified of the name of a person who suffers from cancer or who is treated for cancer the Executive Director, Public Health may request any medical practitioner or person in charge of a hospital to provide him with any information of the kind set out in the Schedule to these regulations that is known to the medical practitioner in relation to that person.
- (2) A person to whom a request is made pursuant to subregulation (1) shall comply with that request within 30 days of the receipt of the request.

[Regulation 8 amended in Gazette 29 Jun 1984 p. 1782.]

9. Offences and penalties

- (1) A person who contravenes a provision of the regulations specified in the Table to this subregulation commits an offence.

Table
Regulations 5, 6 and 8(2).

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- (2) A person who commits an offence under subregulation (1) is liable to a penalty which is not more than \$1 000 and not less than —
- (a) in the case of a first offence, \$100;
 - (b) in the case of a second offence, \$200; and
 - (c) in the case of a third or subsequent offence, \$500.

[Regulation 9 inserted in Gazette 23 Dec 1988 p. 4972.]

Schedule

NOTIFICATION OF CANCER

NAME OF PATIENT:

ADDRESS:

SEX:

DATE OF BIRTH:

OCCUPATION:

MARITAL STATUS:

PLACE AND COUNTRY OF BIRTH:

RACE:

DATE OF DIAGNOSIS OF CANCER:

PLACE OF RESIDENCE OF PATIENT AT DATE OF DIAGNOSIS OF
CANCER:

DATE OF ADMISSION OR OUTPATIENT CONSULTATION:

PRIMARY SITE OF CANCER (where known):

MORPHOLOGICAL SUBTYPE OF CANCER (where known):

METHOD OF DIAGNOSIS OF CANCER:

[Schedule amended in Gazette 27 Feb 1996 p. 704-5.]

Notes

- ¹ This is a compilation of the *Health (Notification of Cancer) Regulations 1981* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Health (Notification of Cancer) Regulations 1981</i>	24 Jul 1981 p. 3065-6	1 Aug 1981 (see r. 2)
<i>Health Legislation Amendment Regulations 1984 r. 4</i>	29 Jun 1984 p. 1780-4	1 Jul 1984 (see r. 2)
<i>Health (Offences and Penalties) Amendment Regulations (No. 2) 1988 Pt. 7</i>	23 Dec 1988 p. 4970-5	23 Dec 1988
<i>Health (Notification of Cancer) Amendment Regulations 1991</i>	26 Jul 1991 p. 3851-2	26 Jul 1991
<i>Health (Notification of Cancer) Amendment Regulations 1996</i>	27 Feb 1996 p. 703-5	27 Feb 1996
Reprint of the <i>Health (Notification of Cancer) Regulations 1981</i> as at 15 Mar 2002 (includes amendments listed above)		
