

## Explanatory Statement

# Public Health (Fees) Determination 2010 (No 1)

### Disallowable instrument DI2010—314

made under the

**Public Health Act 1997, s 137 (Determination of fees)**

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This instrument revokes all previous determinations of fees under this Act.

The *Public Health Act 1997* ('the Act') provides for the licensing and registration of public health risk activities.

The Act empowers the Minister under section 137 to determine, in writing, fees for the purposes of the Act. The provision specifies that the determination is a disallowable instrument, and as such is subject to the provisions in Part 6.3 of the *Legislation Act 2001*. The meaning of a *disallowable instrument* is the subject of section 9 of the *Legislation Act 2001*.

This instrument sets fees for the application, renewal and transfer of all licensable or registrable public health risk activities, specifically:

- (i) Hairdressing;
- (ii) Boarding houses;
- (iii) Infection control;
- (iv) Health care facilities;
- (v) Operation of a drinking water facility; and
- (vi) Cooling towers and warm water storage systems.

The determination exempts charities and benevolent institutions from having to pay the determined fees for the public health risk activities of (i) to (iii) and (vi) above. The determination also gives medical practitioners an exemption from the need to pay the determined fees for infection control licences.

Schedule 6 of this instrument determines fees relating to the operation of a drinking water utility. In the previous fee determination for the Act, DI2002-217, a single fee of

\$60,000 was prescribed. That fee was appropriate at that time when only large corporations, such as ActewAGL, were operating as drinking water utilities. However, as smaller drinking water suppliers are seeking to enter the market it is recognised that lower fees are needed, which will be proportional to the volume of drinking water to be supplied. Accordingly, a new fee tier has been added, with allowance made for future tiers to be added.