

AUSTRALIAN CAPITAL TERRITORY

Regulations 1988 No. 12¹

Public Health (Community and Health Service— Consequential Provisions) Regulations

I, GARY FRANCIS PUNCH, the Minister of State for the Arts and Territories, pursuant to section 8 of the *Interpretation Ordinance 1967*, hereby make the following Regulations under the *Public Health Ordinance 1928*.

Dated 1 July 1988.

GARY PUNCH

Minister of State for the Arts and Territories

Citation

1. These Regulations may be cited as the Public Health (Community and Health Service—Consequential Provisions) Regulations.

Amendments

2. The Regulations specified in the Schedule are amended as set out in that Schedule.

Transitional

3. (1) In this regulation, “former Chairman” means the Chairman within the meaning of—

- (a) the repealed *Health Commission Ordinance 1975*;
- (b) the repealed *Health Services Ordinance 1975*; or
- (c) the *Health Authority Ordinance 1985*, as in force at any time before 31 December 1987.

(2) Where, at any time before 2 July 1988, a document or other thing was given to, served on or lodged with a former Chairman under a provision of

Regulations amended, or repealed and remade (with or without modifications), by these Regulations, the document or thing shall, on and after 2 July 1988, be taken to have been given to, served on or lodged with the Service under that provision as amended or remade by these Regulations.

(3) Where—

- (a) these Regulations amend or repeal and remake (with or without modifications) a provision of other Regulations;
- (b) at any time before 2 July 1988—
 - (i) an instrument was made, granted or issued;
 - (ii) any other act was done; or
 - (iii) a decision was made;under that provision by a former Chairman; and
- (c) the instrument, act or decision had effect immediately before 2 July 1988;

then, on and after 2 July 1988—

- (e) the instrument has effect as if it had been made, granted or issued by the Service; and
- (f) the act or decision, as the case may be, has effect as if it had been done or made by the Service;

under the provision as amended or remade by these Regulations.

(4) A reference in an instrument referred to in subregulation (3) (other than Regulations) to a former Chairman shall, in relation to any act or thing done or to be done on or after 2 July 1988, be read as a reference to the Service.

SCHEDULE

Regulation 2

AMENDMENTS OF REGULATIONS

Public Health (Barbers' Shops) Regulations

Regulation 4 (definition of “Chairman”)—

Omit the definition.

Subregulation 6 (1)—

Omit “Chairman”, substitute “General Manager”.

Subregulation 6 (2)—

Omit “The Chairman may, in his discretion,”, substitute “The Service may”.

Subregulation 6 (3)—

Omit “Chairman”, substitute “Service”.

Subregulation 6 (6)—

Omit “Capital Territory Health Commission”, substitute “Service”.

The Schedule (FORM A)—

Omit “The Chairman, Capital Territory Health Commission”, substitute “The General Manager, Australian Capital Territory Community and Health Service”.

The Schedule (FORM B)—

Omit—

“Chairman

Capital Territory Health Commission”

substitute—

“General Manager

Australian Capital Territory Community and Health Service”.

Public Health (Boarding-houses) Regulations

Subregulation 3 (1) (definitions of “room” and “the Minister”)—

Omit the definition, substitute the following definition:

“ ‘room’ includes a “sleep-out” verandah.”.

Subregulation 5 (2)—

Omit “The Chairman may, in his discretion, register” substitute “The Service may register, or refuse to register.”.

Subregulation 8 (3)—

Omit “Chairman” and “he”, substitute “Service” and “the Service” respectively.

The Schedule (FORM A and FORM B)—

Omit “1928-1930”, substitute “1928”.

The Schedule (FORM B)—

(a) Omit “*Department of Health*”.

- (b) Omit—
“Chairman,
Capital Territory Health Commission”,
substitute—
“General Manager,
Australian Capital Territory Community and Health Service”.

Further amendments—

The following provisions are amended by omitting “Chairman” (wherever occurring) and substituting “Service”:

Subregulations 3 (1) (definition of “approved”) and 5 (3), paragraph 6 (f), subregulation 8 (2), regulation 10 and paragraph 16 (h).

Public Health (Dairy) Regulations

Subregulation 6 (3)—

Omit “General Manager may, in his discretion”, substitute “Service may”.

Subregulation 6 (5)—

Omit “General Manager” and “he”, substitute “Service” and “it” respectively.

Subregulation 19 (3)—

Omit “General Manager may, in his discretion,”, substitute “Service may”.

Subregulation 67 (2)—

Omit “General Manager” and “his”, substitute “Service” and “its” respectively.

Regulation 105—

Repeal the regulation.

The Schedule (FORMS 1, 2 and 3)—

- (a) Omit “1928-1966” (wherever occurring), substitute “1928”.
(b) Omit “A.C.T. Health Authority” substitute “Australian Capital Territory Community and Health Service”.

The Schedule (FORM 4)—

- (a) Omit “1928-1951”, substitute “1928”.
(b) Omit “A.C.T. Health Authority” substitute “Australian Capital Territory Community and Health Service”.

Further amendments—

The following provisions are amended by omitting “General Manager” (wherever occurring) and substituting “Service”:

Subregulations 4 (1) (definitions of ‘approved’ and ‘authorized officer’) and 6 (2) and (4), regulation 18, subregulations 19 (1) and (4), regulation 24, subregulations 38 (1) and 40 (7) and (9), paragraphs 40 (9) (b) and 47 (1) (d), subregulation 55 (3), paragraph 59 (b), subregulation 60 (1), paragraph 63 (2) (a), subregulation 63A (2), regulations 65, 66, 69 and 70, paragraph 70 (b) and regulation 71.

Public Health (Eating Houses) Regulations

Regulation 2 (definition of “approved”)—

Omit “Chairman”, substitute “Service”.

Regulation 2 (definitions of “Chairman” and “Minister”)—

Omit the definitions.

Subregulation 4 (1)—

Omit “Chairman” and “Capital Territory Health Commission”, substitute “Service”.

Subregulation 4 (2)—

Omit “Chairman”, substitute “Service”.

Regulation 5—

Omit “Chairman may, in his discretion,”, substitute “Service may”.

The Schedule (FORM A)—

(a) Omit “1928-1930”, substitute “1928”.

(b) Omit—

“The Chairman,
Capital Territory Health Commission”,
substitute—

“The General Manager,
Australian Capital Territory Community and Health Service”.

The Schedule (FORM B)—

(a) Omit “1928-1930” (wherever occurring), substitute “1928”.

(b) Omit—

“Chairman,
Capital Territory Health Commission”,
substitute—

“General Manager,
Australian Capital Territory Community and Health Service”.

Public Health (General Sanitation) Regulations

Regulation 4 (definition of “approved”)—

Omit “chairman”, substitute “Service”.

Regulation 4 (definition of “Minister”)—

Omit the definition.

Further amendments—

The following provisions are amended by omitting “Chairman” (wherever occurring) and substituting “Service”:

Regulations 9 and 17, paragraphs 18 (b) and (c), subregulation 19 (3), regulations 24 and 26, subregulations 27 (1), (3), (4) and (5) and 28 (1), (2), (3) and (5) and regulation 32.

Public Health (Infectious and Notifiable Diseases) Regulations

Subregulation 3 (1) (definitions of “Chief Medical Administrator” and “Minister”)—

Omit the definitions.

Subregulation 4B (1)—

Omit “Capital Territory Health Commission” and “Chief Medical Administrator”, substitute “Service”.

Further amendments—

The following provisions are amended by omitting “Chairman” (wherever occurring) and substituting “Service”:

Regulation 10 and subregulations 12 (2) and 17 (1) and (2).

Public Health (Medical and Dental Inspection of School Children) Regulations

Subregulations 3 (2) and 4 (2)—

Omit “Chairman”, substitute “Service”.

Public Health (Meat) Regulations

Regulation 2 (definitions of “Chairman”, “Inspector”, “Medical Officer of Health” and “Minister”)—

Omit the definitions.

Regulations 4 and 6—

Omit “Chairman” and “Capital Territory Health Commission” (wherever each occurs), substitute “Service”.

Subregulation 19 (6)—

Omit “Chairman”, substitute “Service”.

Subregulation 20 (1)—

Omit “Chairman”, substitute “Service”.

The Schedule (FORM A and FORM C)—

- (a) Omit “DEPARTMENT OF HEALTH”.
- (b) Omit “1928-1930”, substitute “1928”.
- (c) Omit “To the Chairman, Capital Territory Health Commission” substitute “To the General Manager, Australian Capital Territory Community and Health Service”.

The Schedule (FORM B and FORM D)—

- (a) Omit “DEPARTMENT OF HEALTH”.
- (b) Omit “1928-1930”, substitute “1928”.
- (c) Omit—
“Chairman,
Capital Territory Health Commission”,
substitute—
“General Manager,
Australian Capital Territory

Community and Health Service”.

Public Health (Piggeries) Regulations

Regulation 2 (definitions of “Registered” and “The Minister”)—

Omit the definitions, substitute the following definition:

“ ‘registered’ means registered under these Regulations.”.

The Schedule (FORM A)—

Omit “The Chairman, Capital Territory Health Commission”, substitute “The General-Manager, Australian Capital Territory Community and Health Service,”.

The Schedule (FORM B)—

Omit—

“Chairman,
Capital Territory Health Commission”,
substitute—
“General Manager,
Australian Capital Territory
Community and Health Service”.

Further amendments—

The following provisions are amended by omitting “Chairman” (wherever occurring) and substituting “Service”:

Subregulations 4 (1), (2) and (3) and 5 (3).

Public Health (Private Hospitals) Regulations

Regulation 3 (definition of “Infectious disease”)—

Omit “1928-1930”, substitute “1928”.

Subregulation 7 (1)—

Omit the subregulation, substitute the following subregulation:

“(1) The Service may, upon receipt of an application in accordance with regulation 6, grant or refuse to grant the registration, or the renewal of the registration, of a building as a private hospital.”.

The Schedule (FORM 1)—

(a) Omit “1928-1930”, substitute “1928”.

(b) Omit—

“The Chairman,
Capital Territory Health Commission”,
substitute—
“The General Manager,
Australian Capital Territory Community and Health Service”.

The Schedule (FORM 2)—

(a) Omit “1928-1930”, substitute “1928”.

(b) Omit “Signature”, substitute—

“General Manager,

Australian Capital Territory Community and Health Service”.

Further amendments—

The following provisions are amended by omitting “Chairman” (wherever occurring) and substituting “Service”:

Regulation 4, subregulation 6 (1), paragraph 6 (2) (g), subregulations 6 (2) and (3) and 7 (3) and (4), regulation 8, paragraph 10 (1) (e), regulation 11, subparagraph 16 (1) (b) (iii) and paragraphs 17 (c), (f) and (l).

Public Health (Sale of Food and Drugs) Regulations

Regulation 3 (definition of “Minister”)—

Omit the definition.

Regulation 3 (definition of “The Ordinance”)—

Omit “1928-1930”, substitute “1928”.

Subregulation 16 (4)—

Omit “Chairman” and “he”, substitute “Service” and “it” respectively.

Subregulation 65 (4)—

(a) Omit “1928-1930”, substitute “1928”.

(b) Omit—

“Chairman,
Capital Territory Health Commission”,
substitute—
“General Manager,
Australian Capital Territory Community and Health Service”.

Further amendments—

The following provisions are amended by omitting “Chairman” (wherever occurring) and substituting “Service”:

Paragraph 16 (1) (b), subregulations 17 (1) and (2) and 21 (1), (2) and (3), paragraphs 25 (c) and 39 (j), subparagraph 39 (j) (iii), subregulation 57 (4), paragraph 65 (1) (a), subregulations 65 (2) and (3), regulation 72, paragraphs 73 (b), 83 (b) and 84 (d), subregulation 91 (1), regulation 97 and paragraph 106 (h).

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 1 July 1988.