



Australian Capital Territory

# Public Health Amendment Regulation 2007 (No 1)

**Subordinate Law SL2007-42**

---

The Australian Capital Territory Executive makes the following regulation under the *Public Health Act 1997*.

Dated 20 December 2007.

KATY GALLAGHER  
Minister

SIMON CORBELL  
Minister

---





Australian Capital Territory

# Public Health Amendment Regulation 2007 (No 1)

Subordinate Law SL2007-42

made under the

**Public Health Act 1997**

---

## 1 Name of regulation

This regulation is the *Public Health Amendment Regulation 2007 (No 1)*.

## 2 Commencement

This regulation commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

## 3 Legislation amended

This regulation amends the *Public Health Regulation 2000*.

---

J2007-593

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

## **4 New section 3A**

*in part 1, insert*

### **3A Offences against regulation—application of Criminal Code etc**

Other legislation applies in relation to offences against this regulation.

*Note 1 Criminal Code*

The Criminal Code, ch 2 applies to the following offences against this regulation (see Code, pt 2.1):

- s 66 (4) (Keeping domestic birds).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## **5 Section 66**

*substitute*

### **66 Keeping domestic birds**

- (1) This section applies if a person is keeping domestic birds in the city area other than inside his or her home.
- (2) The chief health officer may give the person a written direction to prevent or remove an insanitary condition.
- (3) The direction must state—
  - (a) the insanitary condition; and
  - (b) the steps to be taken to prevent or remove the insanitary condition; and

- (c) the period within which the steps must be taken.
- (4) The person must not fail to comply with the direction.  
Maximum penalty: 10 penalty units.
- (5) An offence against this section is a strict liability offence.

---

## Endnotes

### **1 Notification**

Notified under the Legislation Act on 20 December 2007.

### **2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

---