

AUSTRALIAN CAPITAL TERRITORY

PUBLIC HEALTH (COMMUNITY AND HEALTH SERVICE –
CONSEQUENTIAL PROVISIONS) REGULATIONS

EXPLANATORY STATEMENT

No. 12 of 1988

The Public Health (Community and Health Service – Consequential Provisions) Regulations (the amending Regulations) amend 11 sets of Regulations made under the Public Health Ordinance, 1928 which referred to the A.C.T. Health Authority (the Authority) or its General Manager and the predecessors of that statutory corporation by up-dating them in line with the Community and Health Service (Amendment) Ordinance 1988.

The Community and Health Service (Amendment) Ordinance 1988 changed the name of the A.C.T. Health Authority to A.C.T. Community and Health Service (the Service) to reflect an expansion of the function of the statutory corporation.

The amending Regulations also save various instruments made, granted or issued, acts done and decisions made (under the various Regulations which have been amended), which were current when the amending Regulations commenced.

Details of the amending Regulations are set out in the Attachment.

ATTACHMENT

Regulation 1 provides that the amending Regulations may be cited as the Public Health (Community and Health Service – Consequential Provisions) Regulations.

Regulation 2 amends the Regulations in the manner specified in the Schedule.

Regulation 3 saves various instruments made, granted or issued, acts done and decisions made (under the various Regulations which were amended) which were current when the amending Regulations commenced.

The Schedule provides for amendment of the following Regulations:-

- Public Health (Barbers' Shops) Regulations

Replacement of all references to “Chairman” and “Capital Territory Health Commission” with references to the Service. The exception to this is subregulation 6(1) where “Chairman” is substituted with “General Manager” because it is concerned with the lodgement of an application. Notices need to be lodged with a natural person.

- Public Health (Boarding-Houses) Regulations

Replacement of all references to “Chairman” and “Capital Territory Health Commission” with references to the Service.

- Public Health (Dairy) Regulations

Replacement of most references to “General Manager” and “A.C.T. Health Authority” with references to the Service. The references to “General Manager” have been changed because the powers of the Service reside with the statutory corporation and the General Manager constitutes the Service under subsection 9(1) of the Community and Health Service (Amendment) Ordinance 1988.

- Public Health (Eating Houses) Regulations

Replacement of references to “Chairman” and “Capital Territory Health Commission” with references to the Service.

- Public Health (General Sanitation) Regulations

Replacements of references to “Chairman” with references to the Service. The definition of Minister is also deleted from regulation 4 because ACT health matters are no longer the responsibility of the Minister for Health.

- Public Health (Infectious and Notifiable Diseases) Regulations

Replacement of references to “Chairman”, “Capital Territory Health Commission” and “Chief Medical Administrator” with references to the Service. The office of “Chief Medical Administrator” was abolished in 1985 with the repeal of the Health Services Ordinance 1975.

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

References to “Chairman” are replaced by references to the “Services”.

- Public Health (Meat) Regulations

The definitions of “Inspector” and “Medical Officer of Health” are deleted because those offices are defined in the Public Health Ordinance 1928. The definition of Minister has been deleted because A.C.T. health matters are no longer the responsibility of the Minister for Health.

References to “Chairman” and “Capital Territory Health Commission” are replaced by references to the Service.

- Public Health (Piggeries) Regulations

The definition of Minister has been deleted because A.C.T. health matters are no longer the responsibility of the Minister for Health.

References to “Chairman” and “Capital Territory Health Commission” are replaced by references to the Service.

- Public Health (Private Hospitals) Regulations

Subregulation 7(1) has been redrafted but contains the same substance apart from the reference to the Service. References to “Chairman” and “Capital Territory Health Commission” are replaced by references to the Service.

- Public Health (Sale of Food and Drugs) Regulations

The definition of Minister has been deleted because A.C.T. health matters are no longer the responsibility of the Minister for Health. References to “Chairman” and “Capital Territory Health Commission” are replaced by references to the “Service”.