



Making of Health Local Laws Environmental Health Guide

Health Act 1911

Checklist

- 1 Develop New or amend existing health local law under section 342 as read with specific local law making power of *Health Act 1911*
- 2 Summary of purpose and effect of proposed local law read aloud at Council meeting
[Note: Section 3.12(2) *Local Government Act 1995*]
- 3 A. Give Statewide public notice and local public notice of proposal, summarising purpose and effect of proposed local law.

[Published in (newspaper)/...../20.....]
[Local public notice/...../20.....]

[Note: Sections 1.7;1.8; 3.12(3)(a)(i); (ii) and (iii) and Section 3.12(3a) *Local Government Act 1995*

B Send a copy of the Statewide public notice and proposed local law to the:

(1) Director, Environmental Health
Department of Health
PO Box 8172 Perth Business Centre
PERTH WA 6849

and

(2) Minister for Local Government

[Note: (i) Section 3.12(3b) *Local Government Act 1995*
(ii) Director, Environmental Health receives documents on behalf of Minister Department of Health
- 4 Consider any submission received in connection with proposed local law [a period of at least 6 weeks must have elapsed since date of publication in the newspaper]

[Note: (i) Section 3.12(3)(a)(iii) & (4) *Local Government Act 1995*;
(ii) If as a result of submissions or other factors local law is changed so as to be significantly different to what was first proposed, then procedure for making the local law must be recommenced - Section 3.13 *Local Government Act 1995*.
- 5 Council considers and makes proposed local law

[Date made...../...../20.....]
- 6 Local law [original plus 2 copies signed by Mayor/President & CEO] submitted to EDPH for consent:

Executive Director, Public Health
Department of Health
PO Box 8172 Perth Business Centre
PERTH WA 6849

[Date sent...../...../20.....]

[Note: Sections 342(1)(a) *Health Act 1911*]



- 7 Local law [original plus 1 copy] as endorsed by EDPH returned to Council, for publication in *Government Gazette*. [Council arranges publication with State Law Publisher].
[Date gazetted...../...../20.....]

[Note: (i) Section 3.12(5) *Local Government Act 1995*;
(ii) Section 3.14 *Local Government Act 1995* does not apply - see section 342(3) of *Health Act 1911*;
(iii) Local laws made under *Health Act 1911* commence on date of *Gazettal* or on some date after the date of *Gazettal* as specified in the local law - see section 41 *Interpretation Act 1984*]

- 8 Give copy of local law as *Gazetted* to:
Executive Director, Public Health
Department of Health
PO Box 8172 Perth Business Centre
PERTH WA 6849
[Date sent...../...../20.....]

and

- Minister for Local Government
[Date sent...../...../20.....]

[Note: (i) Section 3.12(5) *Local Government Act 1995*
(ii) Director, Environmental Health receives documents on behalf of Minister Department of Health]

- 9 Give Statewide public notice of title and summary of purpose and effect of *Gazetted* local law.
[Published in (newspaper)/...../20.....]

[Note: (Section 3.12(6) *Local Government Act 1995*]

- 10 Provide Joint Standing Committee on Delegated Legislation of the WA Parliament with an 'Explanatory Memorandum' of the local laws and 10 copies of the local laws as *Gazetted*.
[Date sent...../...../20.....]

[Note: Section 3.12(7) *Local Government Act 1995*]

Further Information

Environmental Health Directorate
Department of Health
PO Box 8172
PERTH BUSINESS CENTRE WA 6849

Telephone: (08) 9388 4999
Facsimile: (08) 9388 4955

Produced by Environmental Health Directorate
© Department of Health, Western Australia 2006