



NORTHERN TERRITORY OF AUSTRALIA

No. 6 of 1985

AN ACT

To amend the *Public Health Act*

[Assented to 1 April 1985]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Public Health Amendment Act 1985*.

2. PRINCIPAL ACT

The *Public Health Act* is in this Act referred to as the Principal Act.

3. DEFINITIONS

Section 4 of the Principal Act is amended by omitting the definition of "authorized" and substituting the following:

"'approved' means approved by the Chief Medical Officer;

'authorized' means authorized in writing by the Minister or the Chief Medical Officer;".

4. DELEGATION BY CHIEF MEDICAL OFFICER

Section 7A of the Principal Act is amended by omitting "the Regulations" and substituting "any other law of the Territory".

Public Health Amendment

5. NEW SECTION

The Principal Act is amended by inserting after section 7B the following:

"7C. CHIEF MEDICAL OFFICER MAY REQUIRE RISK TO PUBLIC HEALTH TO BE RECTIFIED

"(1) Where, in the opinion of the Chief Medical Officer, an owner or occupier of land has committed an offence against this Act or the Regulations which, in the opinion of the Chief Medical Officer, causes or may cause a risk to public health, the Chief Medical Officer may, if he is of the opinion that the offence is continuing, by notice in writing, require the owner or occupier of the land to cause the risk to be removed within such time as he specifies in the notice.

"(2) Where the person on whom a notice under sub-section (1) has been served fails to comply with the requirements of the notice within the time specified in the notice, the Chief Medical Officer may authorize a person to enter, with or without employees, vehicles, plant, equipment or materials, on the land and carry out such work as is reasonably necessary to remove the risk specified in the notice.

"(3) The costs of carrying out the work referred to in sub-section (2) may be recovered from the person on whom the notice is served as a debt due and payable to the Territory."

6. REGULATIONS

Section 10 of the Principal Act is amended -

(a) by omitting from paragraph (q) "and";

(b) by inserting after paragraph (q) the following:

"(qa) approval of the construction of wells by the Controller of Water Resources appointed under the *Control of Waters Act*; and"; and

(c) by omitting from paragraph (r) "\$100" and "\$10" and substituting "\$1,000" and "\$100" respectively.
