

NORTHERN TERRITORY OF AUSTRALIA

**PUBLIC AND ENVIRONMENTAL HEALTH AMENDMENT
REGULATIONS 2018**

Subordinate Legislation No. 12 of 2018

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 12 of 2018*

Public and Environmental Health Amendment Regulations 2018

I, Vicki Susan O'Halloran, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Public and Environmental Health Act*.

Dated 14 May 2018

V. S. O'HALLORAN
Administrator

By Her Honour's Command

N. K. FYLES
Minister for Health

* Notified in the *Northern Territory Government Gazette* on 23 May 2018.

1 Citation

These Regulations may be cited as the *Public and Environmental Health Amendment Regulations 2018*.

2 Commencement

These Regulations commence on the day on which they are notified in the *Gazette*.

3 Regulations amended

These Regulations amend the *Public and Environmental Health Regulations*.

4 Regulation 25 amended (Commercial visitor accommodation)

Regulation 25(c)

omit, insert

- (c) the place is available to be separately booked and hired by multiple persons at the same time for accommodation; and

5 Regulation 27 amended (Exemption from regulations)

Regulation 27(3)

omit, insert

- (3) The CHO must be satisfied that:
- (a) the proprietor's circumstances require the proprietor to be exempt from the need to comply with the prescribed code or the regulation; and
 - (b) an exemption will not cause or is not likely to cause a serious public health risk.

6 Regulation 29 amended (Application for registration)

After regulation 29(4)

insert

- (5) If the proprietor of the business conducts the business from more than one place, the prescribed fee mentioned in subregulation (1)(e) applies to each place.

7 Regulation 33 amended (Term of registration)

Regulation 33, after "period"

insert

, if any,

8 Regulation 34 amended (Renewal of registration)

(1) Before regulation 34(1)

insert

(1AA) If a registration notice specifies a period of registration mentioned in regulation 33, the proprietor of a business may apply to renew the registration of the business.

(2) Regulation 34(1)(b)

omit

term

insert

period

9 Regulation 41A inserted

After regulation 41

insert

41A Maintenance of premises

(1) A person commits an offence if:

- (a) the person is a proprietor of a business that provides commercial visitor accommodation; and
- (b) the premises on which the business is conducted is not maintained in hygienic condition.

Maximum penalty: 20 penalty units.

(2) A person commits an offence if:

- (a) the person is a proprietor of a business that provides commercial visitor accommodation; and

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- (b) the premises on which the business is conducted is not in good repair.

Maximum penalty: 20 penalty units.

- (3) An offence against subregulation (1) or (2) is an offence of strict liability.

10 Regulation 42 amended (Water and ablution facilities)

After regulation 42(3)

insert

- (4) It is a defence to a prosecution for an offence against subregulation (2) if the defendant has a reasonable excuse.

11 Regulation 43 replaced

Regulation 43

repeal, insert

43 Minimum floor area in bedrooms

- (1) The CHO may give a direction to a proprietor of a business that provides commercial visitor accommodation in relation to the minimum floor area of a bedroom provided for a visitor.
- (2) A person commits an offence if:
- (a) the person is a proprietor of a business that provides commercial visitor accommodation; and
 - (b) the person does not comply with the CHO's direction in relation to the minimum floor area of a bedroom provided for a visitor.

Maximum penalty: 20 penalty units.

- (3) An offence against subregulation (2) is an offence of strict liability.
- (4) It is a defence to a prosecution for an offence against subregulation (2) if the defendant has a reasonable excuse.

12 Schedule 5 amended (Infringement notice offences and prescribed amounts)

Schedule 5, entry for 2 penalty units

omit

42(2), 43(1)

insert

41A(1) and (2), 42(2), 43(2)

13 Repeal of Regulations

These Regulations are repealed on the day after they commence.