

Public Health and Wellbeing Act 2008

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New public health and wellbeing laws will operate in Victoria from 1 January 2010

This is the first in a series of information bulletins to provide stakeholders such as business, health professionals, government and community organisations with information about implementation of the *Public Health and Wellbeing Act 2008* (PHWA).

The PHWA was developed following the review of the *Health Act 1958* and was passed by the Victorian Parliament in August 2008. Most provisions of the PHWA are scheduled to come into operation on **1 January 2010**.

The Act can be downloaded from the Victorian Government's legislation website:
<http://www.legislation.vic.gov.au/>

The new legislation has been designed to both strengthen traditional public health roles and to deal proactively with contemporary public health concerns and emerging risks. It covers issues such as:

- State and municipal planning for public health and wellbeing;
- Investigation and resolution of nuisances;
- Regulation of certain businesses and accommodation for the protection of public health – for example hair and beauty salons, tattooists and body piercers, pest control operators, aquatic facilities, hotels, hostels and rooming houses;
- Management and control of infectious disease;
- Management of public health emergencies; and
- Functions and powers of state and local government and their authorised officers.

Have your say on proposed new regulations

The PHWA will repeal the *Health Act 1958* and the ten sets of regulations made under it:

- *Health (Infectious Diseases) Regulations 2001*
- *Health (Immunisation) Regulations 1999*
- *Health (Legionella) Regulations 2001*

- *Health (Pest Control) Regulations 2002*
- *Health (Prescribed Accommodation) Regulations 2001*
- *Health (Registration of Premises) Regulations 2002*
- *Health (Exempt Businesses) Regulations 2005*
- *Health (Seizure) Regulations 2003*
- *Health (Consultative Council on Obstetric and Paediatric Mortality and Morbidity) Regulations 2002*
- *Health (Prescribed Consultative Councils) Regulations 2002*

A single set of regulations is being drafted to replace the current ten and a Regulatory Impact Statement (RIS) assessing the potential costs and benefits of the proposed regulations is being prepared.

The draft regulations, together with the Regulatory Impact Statement, will be published in August/September 2009. Stakeholders will then be invited to provide comments on the draft regulations and all comments will be considered, and responded to, as part of the process of developing the final regulations. At this stage, it is expected that the proposed regulations will come into operation with the PHWA on 1 January 2010.

The RIS process provides a mechanism for stakeholder input into the development of new regulations. Its purpose is to ensure that the Government and the community are satisfied that the benefits of the proposed regulations will exceed the costs and that alternatives have been considered.

When the draft regulations and RIS are released, advertisements will be placed in the Community Noticeboard and Public Notices sections of the *Herald Sun* newspaper and information will also be placed on the PHWA website at <http://www.health.vic.gov.au/phwa>. Interested parties will be invited to provide comments, with comments due 28 days after release.

Further information

For further information in regards to the PHWA, the draft regulations or the Regulatory Impact Statement, please visit <http://www.health.vic.gov.au/phwa>, email phwa.enquiries@dhs.vic.gov.au or phone (03) 9096 0387.