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HEALTH ACT 1911

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**HEALTH (FOOD)  
LOCAL LAWS 2009**



Health Act 1911

## **Health (Food) Local Laws 2009**

Made by the Governor in Executive Council under section 343B of the Act.

### **Part 1 — Preliminary**

**1. Citation**

These local laws are the *Health (Food) Local Laws 2009*.

**2. Commencement**

These local laws come into operation as follows —

- (a) clauses 1 and 2 — on the day on which these local laws are published in the *Gazette*;
- (b) the rest of the clauses — on the day on which the *Food Act 2008* section 147(14) comes into operation.

**3. Term used: health local laws**

In these local laws —

***health local laws*** means local laws made under the Act.

**Health (Food) Local Laws 2009****Part 2** Health local laws amended**Division 1** Amendments relating to itinerant food vendors**cl. 4**

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**Part 2 — Health local laws amended****Division 1 — Amendments relating to itinerant food vendors****4. Terms used**

In this Division —

*itinerant food vendor provisions* means provisions that —

- (a) are expressed in the same terms as, or in substantially similar terms to; or
- (b) have the same effect as, or a substantially similar effect to,

the provisions deleted by clause 5(2) or (3);

*other health local laws* means health local laws other than those amended by clause 5.

**5. *The Shire of Koorda Health Local Laws 2001* amended**

- (1) This clause amends *The Shire of Koorda Health Local Laws 2001* made by the Shire of Koorda.
- (2) Delete Part 10.
- (3) Delete Schedules 14 and 15.

**6. Various health local laws amended**

- (1) In all other health local laws that have itinerant food vendor provisions, delete the itinerant food vendor provisions.
- (2) Amend all other health local laws that have adopted text that has itinerant food vendor provisions by modifying the adopted text to delete those provisions.

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**Health (Food) Local Laws 2009**  
Health local laws amended **Part 2**  
Amendments relating to “eating house” **Division 2**  
**cl. 7**

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**Division 2 — Amendments relating to “eating house”**

**7. Terms used**

In this Division —

***eating house provision*** means a provision —

- (a) that is expressed in the same terms as, or in substantially similar terms to, the provision amended by clause 8(2);  
or
- (b) that has the same effect as, or a substantially similar effect to, the provision amended by clause 8(2),

and that includes the term “eating house”;

***other health local laws*** means health local laws other than those amended by clause 8.

**8. *City of Perth Health Local Law 2000* amended**

- (1) This clause amends the *City of Perth Health Local Law 2000* made by the City of Perth.
- (2) In clause 101 delete “eating house,”.

**9. Various health local laws amended**

- (1) In all other health local laws that have an eating house provision, amend that provision by deleting “eating house”.
- (2) Amend all other health local laws that have adopted text that has an eating house provision by modifying the eating house provision to delete “eating house”.

**Health (Food) Local Laws 2009****Part 2** Health local laws amended**Division 3** Amendments relating to “food premises”**cl. 10**

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**Division 3 — Amendments relating to “food premises”****10. Terms used**

In this Division —

***food premises provision*** means a provision —

- (a) that is expressed in the same terms as, or in substantially similar terms to, the provision amended by clause 11(2);  
or
- (b) that has the same effect as, or a substantially similar effect to, the provision amended by clause 11(2),

and that includes the term “food premises”;

***other health local laws*** means health local laws other than those amended by clause 11.**11. *The Shire of Koorda Health Local Laws 2001* amended**

- (1) This clause amends *The Shire of Koorda Health Local Laws 2001* made by the Shire of Koorda.
- (2) In clause 6.3.5 delete “food premises,”.

**12. Various health local laws amended**

- (1) In all other health local laws that have a food premises provision, amend that provision by deleting “food premises”.
- (2) Amend all other health local laws that have adopted text that has a food premises provision by modifying the food premises provision to delete “food premises”.

**Health (Food) Local Laws 2009**

Health local laws repealed

**Part 3**

Preliminary

**Division 1****cl. 13****Part 3 — Health local laws repealed****Division 1 — Preliminary****13. Terms used**

In this Part —

***food provisions*** means provisions that —

- (a) are expressed in the same terms as, or in substantially similar terms to; or
- (b) have the same effect as, or a substantially similar effect to,

any of the local laws listed in the Table to clause 14(1);

***other health local laws*** means health local laws other than the health local laws listed in the Table to clause 14(1).**Division 2 — Repeals****14. Various health local laws repealed**

- (1) The health local laws listed in column 1 of the Table, made by the corresponding local governments listed in column 2 of the Table, are repealed.

**Table**

<b>Health local laws</b>	<b>Local government</b>
<i>City of Albany Health (Eating-Houses and Itinerant Food Vendors) Local Laws 2001</i>	City of Albany
<i>Shire of Augusta-Margaret River Eating House Local Laws 1983</i>	Shire of Augusta-Margaret River

**Health (Food) Local Laws 2009****Part 3** Health local laws repealed**Division 2** Repeals**cl. 14**

<b>Health local laws</b>	<b>Local government</b>
<i>City of Bayswater Health (Eating-Houses) Local Law 2001</i>	City of Bayswater
<i>City of Bayswater Health (Itinerant Food Vendors) Local Laws 2001</i>	City of Bayswater
<i>The City of Belmont Health (Eating Houses, Itinerant Food Vendors and Meat Premises) Local Laws 2002</i>	City of Belmont
<i>Shire of Broome Health (Eating Houses) Local Laws 2006</i>	Shire of Broome
<i>City of Bunbury Health (Eating-Houses) Local Laws 2000</i>	City of Bunbury
<i>Town of Cambridge Health (Food Premises) Local Law 2001</i>	Town of Cambridge
<i>The City of Canning Eating Houses Local Law 2008</i>	City of Canning
<i>City of Cockburn Health (Eating Houses) Local Law 2000</i>	City of Cockburn
<i>Town of Cottesloe Local Law No. 42 — Relating to Eating Houses</i>	Town of Cottesloe



**Health (Food) Local Laws 2009**

Health local laws repealed

**Part 3**

Repeals

**Division 2****cl. 14**

<b>Health local laws</b>	<b>Local government</b>
<i>Shire of Esperance Health (Eating-Houses) Local Laws 2002</i>	Shire of Esperance
<i>Shire of Exmouth Eating House Local Laws 1982</i>	Shire of Exmouth
<i>City of Fremantle Eating House Local Laws 1990</i>	City of Fremantle
<i>City of Geraldton Health (Eating-Houses) Local Laws 2002</i>	City of Geraldton
<i>City of Gosnells Health Local Laws — Eating Houses 1989</i>	City of Gosnells
<i>City of Kalgoorlie-Boulder Health (Eating-Houses) Local Laws 2001</i>	City of Kalgoorlie-Boulder
<i>City of Melville Health (Eating-Houses) Local Laws 2001</i>	City of Melville
<i>Town of Mosman Park Health (Eating-Houses) Local Laws 2000</i>	Town of Mosman Park
<i>Shire of Murray Health (Eating Houses) Local Law 2007</i>	Shire of Murray

**Health (Food) Local Laws 2009****Part 3** Health local laws repealed**Division 2** Repeals**cl. 14**

<b>Health local laws</b>	<b>Local government</b>
<i>City of Nedlands Health (Eating-Houses) Local Law 2000</i>	City of Nedlands
<i>The City of Perth Health (Eating Houses, Itinerant Food Vendors and Meat Premises) Local Law 2000</i>	City of Perth
<i>Town of Port Hedland Local Law Relating to Eating Houses 1985</i>	Town of Port Hedland
<i>Shire of Serpentine-Jarrahdale Eating House Local Laws 1986</i>	Shire of Serpentine-Jarrahdale
<i>City of Subiaco Eating-House Local Law 2005</i>	City of Subiaco
<i>City of Swan Local Laws Relating to Eating Houses 1988</i>	City of Swan
<i>The Town of Victoria Park Health (Eating House) Local Law 2003</i>	Town of Victoria Park
<i>The Town of Vincent Health (Eating House) Local Law 2004</i>	Town of Vincent
<i>Shire of Wyndham-East Kimberley Health (Eating House) Local Laws 2003</i>	Shire of Wyndham-East Kimberley

**Health (Food) Local Laws 2009**

Health local laws repealed

**Part 3**

Related amendments

**Division 3****cl. 15**

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- (2) All other health local laws that consist only of food provisions are repealed.
  - (3) All other health local laws —
    - (a) that have adopted text that consists only of food provisions; and
    - (b) that consist only of that adopted text (and the provisions relating to its adoption) are repealed.

**Division 3 — Related amendments****15. Various health local laws amended**

- (1) In this clause —  
*other provisions* means provisions other than food provisions.
- (2) In all other health local laws that have food provisions and other provisions, delete the food provisions.
- (3) Amend all other health local laws —
  - (a) that have adopted text that has food provisions; and
  - (b) that have other provisions (whether adopted or not),by modifying the adopted text to delete the food provisions.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.