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HEALTH ACT 1911

**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**

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.

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

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**

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

Health local laws	Local government
<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**

Health local laws	Local government
<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**

Health local laws	Local government
<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**

Health local laws	Local government
<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**

-
- (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.