

# Notification Requirements for Industry Stakeholders

The *Public Health Act 2010* and the *Public Health Regulation 2012* commence on **1 September 2012**. To support implementation of the *Act* and *Regulation*, a series of Information Sheets has been developed to outline the key requirements in relation to particular areas. Visit the NSW Ministry of Health webpage at [www.health.nsw.gov.au/phact](http://www.health.nsw.gov.au/phact) for more information on the *Act* and *Regulation*.



## Legionella control

Under Section 31 of the *Public Health Act 2010* and Clause 11 of the *Public Health Regulation 2012*, the occupier of premises at which a water-cooling system or warm-water system is installed must notify the local council in writing of the existence of the system. **A form has been approved for this purpose, which can be downloaded from the NSW Ministry of Health Public Health Legislation webpage [www.health.nsw.gov.au/phact](http://www.health.nsw.gov.au/phact).** The notification will need to be accompanied by the fee set by the council, which should not exceed \$100.

If the system is installed before the occupier takes occupancy, the notification is due within one month after occupancy occurs. If the system is installed after the occupier takes occupancy, the notification is due within one month after the system is installed.

### Notification details must include:

- the address and telephone number of the premises,
- the name and contact details of the occupier of the premises (including residential address, e-mail address and home, business and mobile telephone numbers),
- the Australian Business Number (ABN) or Australian Company Number (ACN) (if any) of the occupier of the premises,
- the type of regulated system,
- details of any inspections carried out by the local government authority for the purposes of the Act.

Any occupier who notified their local council of the existence of the system under the *Public Health Act 1991* is not required to notify the council again. However, any change in these details will need to be notified to the local council by the occupier within 7 days of the change occurring. Notification of a change in details will not require the payment of a fee.

## Control of swimming pools and spa pools

Under Section 35 (2) of the *Public Health Act 2010* and Clause 19 of the *Public Health Regulation 2012*, the occupier of premises at which a public swimming pool or spa pool is situated must notify the local council in writing of the existence of the swimming pool or spa pool. **A form has been approved for this purpose, which can be downloaded from the NSW Ministry of Health Public Health Legislation webpage [www.health.nsw.gov.au/phact](http://www.health.nsw.gov.au/phact).** The notification will need to be accompanied by the fee set by the council, which should not exceed \$100.

### Notification details must include:

- the address and telephone number of the premises on which the public swimming pool or spa pool is located,
- the name and contact details of the occupier of the premises (including residential address, e-mail address and home, business and mobile telephone numbers),
- the Australian Business Number (ABN) or Australian Company Number (ACN) (if any) of the occupier of the premises,

Any change in these details will need to be notified to the local council by the occupier within 7 days of the change occurring. Notification of a change in details will **not** require the payment of a fee.

## Control of skin penetration procedures

Under Section 38 (2) of the *Public Health Act 2010* and Clause 31 of the *Public Health Regulation 2012*, the occupier of any premises where skin penetration procedures are carried out must notify the local council in writing that they are carrying out skin penetration procedures. In the case of skin penetration procedures carried out in mobile premises, notification will need to be made to the local council for the area in which the occupier resides.

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### Notification details must include:

- a. the address and telephone number of the premises,
- b. the name and contact details of the occupier of the premises (including residential address and home, business and mobile telephone numbers),
- c. the Australian Business Number (ABN) or Australian Company Number (ACN) (if any) of the occupier,
- d. the type of skin penetration procedures carried out at the premises,
- e. in the case of skin penetration procedures that are carried out in mobile premises, the local government areas in which the occupier of the premises intends to carry out the procedures.

Any occupier who notified their local council of the existence of the premises under the Public Health Act 1991 is not required to notify the council again. However, any change in these details will need to be notified to the local council by the occupier within 7 days of the change occurring. Notification of a change in details will **not** require the payment of a fee.

### Disposal of bodies

Under the Public Health Act 2010 and the Public Health regulation 2012, the Director-General of Health is to maintain a register of mortuaries and crematories.

A person who operates a mortuary or crematory must notify the Director-General of the following for inclusion on the register:

- (a) the name and location of the mortuary or crematory,
- (b) the name and address of the person who operates the mortuary or crematory,
- (c) the telephone number of the mortuary or crematory or of the person who operates the mortuary or crematory,
- (d) in the case of a mortuary—the name and address of any funeral director that has access to the mortuary.

**A form has been approved for this purpose, which can be downloaded from the NSW Ministry of Health Public Health Legislation webpage [www.health.nsw.gov.au/phact](http://www.health.nsw.gov.au/phact).**

At present, no fee is required for notification of a mortuary or crematory.

Any person who notified the Director General of the existence of the premises under the Public Health Act 1991 is not required to notify again. However, any change in these details will need to be notified to the Director General by the operator within 7 days of the change occurring.

### Where to go for further information

If you will be affected by the commencement of the *Public Health Act 2010* and the *Public Health Regulation 2012*, and you want further information, you can:

- Contact your industry association
- Contact your Council
- Contact your local Public Health Unit
- Visit the NSW Ministry of Health webpage for Environmental Health

<http://www.health.nsw.gov.au/publichealth/environment/index.asp>

- Visit the NSW Ministry of Health webpage for the *Public Health Act* and *Public Health Regulation*

[www.health.nsw.gov.au/phact](http://www.health.nsw.gov.au/phact)