



**The Hon Roger Cook MLA
Deputy Premier
Minister for Health; Mental Health**



Our Ref: 60-19414

Hon Adele Farina MLC
Chair
Standing Committee on Public Administration
Legislative Council Committee Office
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Ms Farina *Adele,*

Thank you for your letter of 5 September 2019 regarding the Standing Committee on Public Administration Inquiry into Private Property Rights.

I understand the Department of Health has been liaising with your Committee to refine the scope of the Committee's request, and as such have agreed to the provision of a summary of licences and authorities issuable under the Health portfolio.

I also understand the Department of Health sought, and was granted, an extension to provide this information, and I thank you for allowing this extra time.

Please find attached information as requested. I am advised that the Mental Health Commission do not issue licences and authorities.

Yours sincerely

**HON ROGER COOK MLA
DEPUTY PREMIER
MINISTER FOR HEALTH; MENTAL HEALTH**

17 OCT 2019
Att:

Standing Committee on Public Administration - Inquiry into Private Property Rights

(c) recognises the property rights of government-issued licences and authorities including commercial fishing.

Brief description of licence/authority	Please provide two examples	Please specify whether the licence or authority creates in the holder of that licence or authority a private property right , and supply the legislative head of power establishing this	Please specify whether the restriction or cancellation of the licence and authority gives rise to a right of compensation (Y/N)	If yes, describe how the quantum of compensation is determined and the process for determining it.
Licensing and Accreditation				
The Department of Health WA Licensing and Accreditation Regulatory Unit (LARU) grants licences on behalf of the CEO Department of Health to operate private hospitals as outlined and defined in the Private Hospitals and Health Services Act 1927 (The Act) (Part 111A 26B, 26C and 26D) and the Health Services (Day Hospital Facility) Determination 2016.	Private Hospital	The LARU statutory relationship is with the company or person who desires to conduct a private hospital and not dependent on the owner of the property. To grant a licence, LARU investigates the corporation finances/character of the proposed Licence Holder and the premises, operations and management as to the suitability to provide safe health services.	No	N/A
	Private Day Hospital	The Act does not reference property rights and a licence does not grant or claim ownership to land.	No	N/A
Pesticide (Health Act (Pesticides) Regulations 2011)				
Pest Management business (registration)	Pest Management Business are regulated under the Health Act (Pesticides) Regulations 2011. Registration of a business authorises the person registered to carry on a pest management business at the premises specified in the registration. A Pest Management Business is a business that supplies the services of Pest Management Technicians.	N/A	No	N/A

Pest Management Technician (licence)	A Pest Management Technician is an individual who is licensed under the Health Act (Pesticides) Regulations 2011 to undertake pest management treatments. Endorses the licence holder to handle or use pesticides for the type of pest control work the licence holder is qualified to undertake.	N/A	No	N/A
Tobacco (<i>Tobacco Products Control Act 2006</i>)				
Tobacco Retailers Licence	Business Licenced under the Tobacco Products Control Act 2006 to sell tobacco products including sales from vending machines.	N/A	No	N/A
Tobacco Indirect Sellers Licence	Licenced under the Tobacco Products Control Act 2006 where the seller and the purchaser are not in the same place. To sell tobacco products by Fax order, mail order, Internet and telephone.	N/A	No	N/A
Tobacco Wholesalers Licence	Licenced under the Tobacco Products Control Act 2006 where the sale of tobacco or tobacco products is for the purpose of on sale.	N/A	No	N/A
Wastewater (<i>Health Act 1911. Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.</i>)				
Septic Tank Application (with a local govt report)	To construct or install an apparatus for the treatment of sewage according to the conditions of approval.	N/A	No	N/A
Radiation (<i>Radiation Safety Act 1975</i>)				
Registration of: - x-ray equipment - radioactive substances - electronic products and premises where they are manufactured, operated, used or stored	Registration of: x-ray equipment radioactive substances	N/A	No	N/A
Licensing of: - individuals to possess, use, operate, manufacture or otherwise deal with particular radiation sources	Licences are issued for specific purposes in two primary classes: 1. Radioactive Substances 2. X-ray equipment and/or electronic products	N/A	No	N/A
Telecommunication				
Telecommunication	Licence to Optus at Perth Children's Hospital.	The licence agreement gives the licensee permission to access and	N/A	N/A

Telecommunication	Licence to Optus at Albany Health Campus.	use a specific WA health held property,	N/A	N/A
Not-for-profit, charity organisation				
Not-for-profit, charity organisation	Licence to Children's Hospital Child Care Centre Association at Perth Children's Hospital.	The licence agreement gives the licensee permission to access and use	N/A	N/A
Not-for-profit, charity organisation	Licence to Redkite at Perth Children's Hospital.	a specific WA health held property, for a specified purpose. It does not	N/A	N/A
ATM and vending machine				
ATM and vending machine	Licence to DC Payments Australasia Pty Ltd at Perth Children's Hospital.	The licence agreement gives the licensee permission to access and use	N/A	N/A
ATM and vending machine	Licence to Greycell Vending Pty Ltd at Perth Children's Hospital.	a specific WA health held property,	N/A	N/A
Antenna and associated infrastructure				
Antenna and associated infrastructure	Licence to Seven Network (Operations) Ltd at Fremantle Hospital.	The licence agreement gives the licensee permission to access and use	N/A	N/A
Antenna and associated infrastructure	Licence to City of Fremantle at Fremantle Hospital.	a specific WA health held property, for a specified purpose. It does not	N/A	N/A
Educational, research				
Educational, research	Sub-licence to Murdoch University at Fiona Stanley Hospital site (Harry Perkins Institute of Medical Research).	The licence agreement gives the licensee permission to access and use	N/A	N/A
Educational, research	Licence to University of WA at Perth Children's Hospital.	a specific WA health held property, for a specified purpose. It does not give the licensee a right to access	N/A	N/A
Newsagency, café				
Newsagency, café	Licence to Fairaton Holdings Pty Ltd at Royal Perth Hospital.	The licence agreement gives the licensee permission to access and use	N/A	N/A
Newsagency, café	Licence to Dryandra Pty Ltd at Armadale Hospital.	a specific WA health held property,	N/A	N/A
Carpark				
Carpark	Licence to QEII Medical Centre Trust at Perth Children's Hospital.	The licence agreement gives the licensee permission to access and use	N/A	N/A
Carpark			N/A	N/A
Consulting Suite				
Consulting Suite	Licence to WA Cardiology Services	The licence agreement gives the licensee permission to access and use	N/A	N/A
Consulting Suite	Licence to M Jayasundera Medical Trust at Armadale Hospital (Licence being finalised for signing).	a specific WA health held property,	N/A	N/A