HE301*

Hospitals and Health Services Act 1927

Armadale Kelmscott District Memorial Hospital Amendment By-laws 2015

Made under section 22 of the Act by the Minister in his capacity as the board of the Armadale Kelmscott District Memorial Hospital.

1. Citation

These by-laws are the Armadale Kelmscott District Memorial Hospital Amendment By-laws 2015.
2. **Commencement**

These by-laws come into operation as follows —

(a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;

(b) the rest of the by-laws — on the day after that day.

3. **By-laws amended**

These by-laws amend the *Armadale Kelmscott District Memorial Hospital By-laws 2002*.

4. **By-law 2 amended**

In by-law 2(1) delete the definition of *authorised person* and insert:

*authorised person* means a person appointed under by-law 3A as an authorised person for the purposes of the by-law in which the term is used;

5. **By-law 3A inserted**

At the end of Part 1 insert:

3A. **Appointment of authorised persons**

(1) The chief executive officer may, in writing, appoint an officer or servant of the board as an authorised person for the purposes of one or more of these by-laws.

(2) An appointment under sub-bylaw (1) may be made in respect of a specified person or persons of a specified class.

(3) The chief executive officer must issue to each authorised person who is authorised to give a direction under by-law 7(1), or issue an infringement notice under by-law 18(1), a certificate stating that the person is so authorised.

6. **By-law 5 replaced**

Delete by-law 5 and insert:

5. **Prohibited items**

(1) In this by-law —

*prohibited item* means —

(a) an alcoholic beverage; or
(b) a firearm as defined in the *Firearms Act 1973* section 4; or

(c) a controlled weapon as defined in the *Weapons Act 1999* section 3; or

(d) a prohibited weapon as defined in the *Weapons Act 1999* section 3; or

(e) a prohibited drug as defined in the *Misuse of Drugs Act 1981* section 3(1).

(2) A person must not bring onto the site a prohibited item unless the person has permission to do so.

Penalty: a fine of $50.

7. **By-law 7 replaced**

Delete by-law 7 and insert:

7. **Persons may be directed to leave site**

(1) An authorised person may direct a person to leave the site if the authorised person reasonably believes that the person has —

(a) used abusive language on the site; or

(b) threatened a person on the site; or

(c) behaved in an indecent or disorderly manner on the site; or

(d) unreasonably interfered with the privacy of a person on the site; or

(e) committed an offence under by-law 3 or 5.

(2) A person must not contravene a direction under sub-by-law (1).

Penalty: a fine of $50.

(3) The person whom an authorised person has given, or is about to give, a direction under sub-by-law (1) may require the authorised person to produce the certificate referred to in by-law 3A(3).

(4) The authorised person must comply with a request under sub-by-law (3).

8. **By-law 8 amended**

In by-law 8(4) in the Penalty delete “(2), or (3):” and insert:

(2) or (3): a fine of
9. **By-law 16 amended**

In by-law 16(8) in the Penalty delete “Penalty:” and insert:

Penalty for an offence under this sub-by-law: a fine of

10. **By-law 20 replaced**

Delete by-law 20 and insert:

20. **Authorised persons to produce certificate**

(1) The person whom an authorised person has given, or is about to give, an infringement notice may require the authorised person to produce the certificate referred to in by-law 3A(3).

(2) The authorised person must comply with a request under sub-by-law (1).

11. **Various penalties amended**

In the provisions listed in the Table after “Penalty:” insert:

a fine of

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K. HAMES,
The Minister in his capacity as the board of the Armadale Kelmscott District Memorial Hospital.