Western Australia

University Medical School, Teaching Hospitals, Act 1955

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Defined terms

Western Australia

University Medical School, Teaching Hospitals, Act 1955

An Act to provide facilities in certain hospitals for the teaching of medical students of the University of Western Australia Medical School.

1. Short title

This Act may be cited as the *University Medical School, Teaching Hospitals, Act 1955*.

2. Interpretation

In this Act unless the context requires otherwise —

health service provider has the meaning given in the *Health Services Act 2016* section 6;

managing body, in relation to a hospital, means the health service provider that has control or management of the hospital;

medical student means a person who studies medicine;

medicine means all or any of the branches of medicine or surgery or both;

mental health hospital means a public hospital that the regulations provide is to be regarded as a mental health hospital for the purposes of this Act;

public hospital has the meaning given in the *Health Services Act 2016* section 6, and includes —

(a) a hospital established under the *Health (Miscellaneous Provisions) Act 1911* Part XII; and

(b) a mental health hospital;

Senate means the Senate constituted pursuant to the *University of Western Australia Act 1911*;

teaching hospital means a public hospital which —

(a) has been declared under section 3(1); and

(b) has not ceased by reason of a declaration made under section 3(2),

to be a teaching hospital to which the provisions of this Act apply.

[Section 2 amended: No. 21 of 1985 s. 2; No. 103 of 1994 s. 18; No. 69 of 1996 s. 92; No. 11 of 2016 s. 305(2)-(4); No. 19 of 2016 s. 198.]

3. Declaration of teaching hospitals

(1) Where the Senate is of opinion that a public hospital is suitable for the teaching of medicine, the Senate may give written notification to that effect to the Minister who shall, as soon after receiving it as is practicable, present the notification to the Governor who may by proclamation declare the public hospital to be a teaching hospital to which the provisions of this Act apply.

(2) If the Senate is of opinion that a public hospital that is declared to be a teaching hospital under subsection (1) should no longer be a teaching hospital to which the provisions of this Act apply, the Senate shall give written notification to that effect to the Minister who shall, as soon after receiving it as is practicable, present that notification to the Governor who may by proclamation declare that that public hospital ceases with effect from the date specified in that proclamation to be a teaching hospital to which the provisions of this Act apply.

(3) The Minister may, if the name of a public hospital that is declared to be a teaching hospital under subsection (1) (in this subsection called ***the public hospital name***) has been changed, recommend to the Governor that the name of the teaching

hospital (in this subsection called ***the teaching hospital name***) be changed to accord with the public hospital name as changed, and the Governor may by proclamation change the teaching hospital name in accordance with that recommendation with effect from the date specified in that proclamation, being a date not earlier than the date on which the change to the public hospital name to which that recommendation relates took place.

(4) The identity and rights and obligations of a teaching hospital the name of which is changed under subsection (3) are not affected by that change and a reference to that teaching hospital as a teaching hospital in a written law or a document or instrument by its name as it was prior to that change shall be construed as a reference to that teaching hospital by its name as so changed.

[Section 3 amended: No. 21 of 1985 s. 3.]

4. Power of managing body or Minister to enter into agreement with Senate

(1) Subject to subsection (2) and section 5, a health service provider that has control or management of a teaching hospital may enter into an agreement with the Senate in relation to —

(a) the provision in the teaching hospital of facilities for research and for the teaching of medicine, including the use of land under the control of the teaching hospital and the erection of buildings thereon; and

(b) the admission of medical students to the practice, referred to in that agreement, of the teaching hospital; and

(c) except in the case of a teaching hospital which is on the reserve within the meaning of the *Queen Elizabeth II Medical Centre Act 1966*, the formation of an electoral committee for the teaching hospital charged with the responsibility of making recommendations to the managing body of the teaching hospital or the Minister, as the case requires, concerning the appointment of

persons who are concerned with teaching duties to the consultant clinical staff of the teaching hospital.

(2) The managing body of a teaching hospital shall not without the prior approval of the Minister enter into an agreement under subsection (1) in relation to the provision in the teaching hospital of facilities for research or for the teaching of medicine, being facilities which consist of —

(a) the use of land under the control of the teaching hospital or the erection of buildings thereon; or

(b) the acquisition of equipment of a type (however described or identified), or of more than a value, or of both —

(i) determined by the Minister; and

(ii) notified in writing to that managing body.

[Section 4 inserted: No. 21 of 1985 s. 4; amended: No. 11 of 2016 s. 305(5); No. 1 of 2023 s. 99.]

[5, 6. *Deleted: No. 11 of 2016 s. 305(6).]*

7. Regulations

The Governor may make such regulations as are required, or as appear to him to be necessary or convenient for effecting the operation and purposes of this Act.

Notes

This is a compilation of the *University Medical School, Teaching Hospitals, Act 1955* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Short title	Number and year	Assent	Commencement
University Medical School, Teaching Hospitals, Act 1955	31 of 1955	24 Nov 1955	24 Nov 1955
Health Legislation Amendment Act 1984 Pt. XXIII	28 of 1984	31 May 1984	1 Jul 1984 (see s. 2 and *Gazette* 15 Jun 1984 p. 1629)
University Medical School, Teaching Hospitals, Amendment Act 1985	21 of 1985	19 Apr 1985	17 May 1985
Reprint of the *University Medical School, Teaching Hospitals, Act 1955* as at 2 Jan 1991 (includes amendments listed above)			
Hospitals Amendment Act 1994 s. 18	103 of 1994	11 Jan 1995	3 Feb 1995 (see s. 2 and *Gazette* 3 Feb 1995 p. 333)
Mental Health (Consequential Provisions) Act 1996 Pt. 21	69 of 1996	13 Nov 1996	13 Nov 1997 (see s. 2)
Reprint 2: The *University Medical School, Teaching Hospitals, Act 1955* as at 7 May 2004 (includes amendments listed above)			
Mental Health Legislation Amendment Act 2014 Pt. 4 Div. 4 Subdiv. 23	25 of 2014	3 Nov 2014	30 Nov 2015 (see s. 2(b) and *Gazette* 13 Nov 2015 p. 4632)
Health Services Act 2016 s. 305	11 of 2016	26 May 2016	1 Jul 2016 (see s. 2(b) and *Gazette* 24 Jun 2016 p. 2291)
Public Health (Consequential Provisions) Act 2016 Pt. 3 Div. 28	19 of 2016	25 Jul 2016	24 Jan 2017 (see s. 2(1)(c) and *Gazette* 10 Jan 2017 p. 165)
Health Services Amendment Act 2023 Pt. 6	1 of 2023	22 Feb 2023	1 Jul 2023 (see s. 2(b) and SL 2023/103 cl. 2)

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
health service provider	2
managing body	2
medical student	2
medicine	2
mental health hospital	2
public hospital	2
Senate	2
teaching hospital	2
the public hospital name	3(3)
the teaching hospital name	3(3)

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