

## HOSPITALS.

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No 104 of 1975.

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AN ACT to amend the Hospitals Act, 1927-1973.

[Assented to 1st December, 1975.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Hospitals Act Amendment Act, 1975*.

Short title  
and citation.

(2) In this Act the Hospitals Act, 1927-1973 is referred to as the principal Act.

Reprinted as  
approved for  
reprint 11th  
December,  
1972 and  
amended by  
Act No. 10 of  
1973.

(3) The principal Act as amended by this Act may be cited as the Hospitals Act, 1927-1975.

Section 18  
amended.

2. Subsection (2) of section 18 of the principal Act is amended by adding after the word “functions”, being the last word in the subsection, the passage “, but no such direction shall be given concerning the nature of the medical treatment to be provided at a public hospital”.

Section 33A  
added.

3. The principal Act is amended by adding after section 33 a section as follows—

Restriction  
on fees to  
medical  
practi-  
tioners.

33A. (1) Notwithstanding any other provision of this Act or any other Act, where a person, as a hospital patient in a recognised hospital or under an out-patient service of a recognised hospital, obtains medical or surgical attention, service, or treatment from or under the supervision of a medical practitioner—

(a) that person is not liable to pay any fees in respect of that attention, service, or treatment; and

(b) the medical practitioner shall not—

(i) render an account to that person;

(ii) seek or accept from that person remuneration in any form;

(iii) seek or accept from that person any assignment of benefits,

in respect of that attention, service, or treatment.

(2) In subsection (1) of this section, “hospital patient”, “outpatient service”, and “recognised hospital” have the meanings attributed to them by, or by virtue of, their use in the Health Insurance Act, 1973 of the Parliament of the Commonwealth or any Act passed in amendment or substitution thereof.

(3) This section shall continue in operation during the period which the Hospital Services Agreement is in force, and no longer.

(4) In subsection (3) of this section, "the Hospital Services Agreement" means the Agreement dated the thirty-first day of July, One thousand nine hundred and seventy-five between The Government of The Commonwealth of Australia and The Government of The State of Western Australia in relation to the Provision of Hospital Services, or any agreement executed in amendment or substitution thereof. .

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