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Crown Law Department,  
Perth, 1st February, 1967.

THE undermentioned Regulations made under the provisions of the Health Act, 1911, and amended from time to time up to and including the 11th October, 1966, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister for Justice.

R. C. GREEN,  
Under Secretary for Law.

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HEALTH ACT, 1911.

### PRIVATE HOSPITALS REGULATIONS

Published in the *Government Gazette* on the 9th February, 1945, and incorporating the amendments thereto published in the *Government Gazette* on the 20th March, 1963, the 8th January, 1965, and the 9th March, 1966, and the amendments that, pursuant to the provisions of section 8 of the Decimal Currency Act, 1965, are deemed for the purposes of this reprint to be amendments to the regulations; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister for Justice, dated 1st February, 1967.

HEALTH ACT, 1911.

PRIVATE HOSPITALS REGULATIONS.

1. For the purpose of these regulations "Private hospitals" shall be divided into the following classes:—

"A." Hospitals which admit for treatment all medical, surgical and obstetrical cases other than those specified in Class "B": Provided that, where obstetrical cases are taken, these shall be nursed in a portion of the building specially set apart for such cases and otherwise complying with the regulations governing maternity homes.

"B." Hospitals in which the following cases are treated:—Scarlet fever, diphtheria, measles, mumps, whooping cough, typhus fever, epidemic poliomyelitis, smallpox, plague and cholera.

"C." Hospitals in which convalescent patients and patients requiring medical supervision, but not requiring constant nursing attention, are admitted.

2. A keeper of a private hospital may be granted registration of a hospital under Class "A" and also under Class "B" provided always that that portion of the premises set apart for the treatment of cases under Class "B" shall comply with all the regulations relating to that class of hospital, and that a separate staff is maintained. A distance of not less than thirty feet shall separate the buildings used for the treatment of cases specified in Class "A" and Class "B" respectively.

Reg. 3  
amended by  
G.G. 8/1/65,  
p. 2.

3. (1) Every person who keeps or conducts any private hospital shall, within one week of the coming into operation of these regulations, and thereafter during the first week in January in each year, make application for registration in the form set out in Schedule "A" hereto.

(2) An application for registration shall be accompanied by the appropriate fee prescribed in Schedule "D" to these regulations.

4. The applicant shall cause notice of such application to be published in a newspaper and the Commissioner shall not give consideration to any such application until one month has elapsed after the publication of such notice.

5. (a) Every person who, after the coming into operation of these regulations, intends to open, keep, or conduct any private hospital, shall, before opening, keeping, or conducting any such private hospital, make application for registration thereof in the manner prescribed in regulation No. 3 hereof.

6. No application for registration shall be granted unless the premises in respect of which registration is sought comply with the following conditions:—

(a) Hospitals in Classes "A" and "C" shall be so situated that the building used as the hospital shall on all sides have between it and the boundary of the land used for the purposes of a hospital a clear space of not less than fifteen feet. Hospitals in Class "B" shall be so situated that the building used as the hospital shall on all sides have between it and the boundary of the land used for the purposes of a hospital a clear space of not less than thirty feet.

- (b) Every room to be occupied by one or more patients shall have at least one thousand cubic feet of air space and one hundred square feet of floor area and eight feet of lineal wall space for each patient, and if the floor be of wood the bottom edges of the ground floor joists of every such room shall be at least nine inches above the ground, and the space under every such floor sufficiently ventilated.
- (c) Every such room shall be separately and independently and efficiently ventilated to the external air.
- (d) Every such room shall be provided with windows in the external walls having a ratio of one square foot of clear glass to each ten square feet of floor area.
- (e) Every such room is constructed so as to be readily isolated.
- (f) Every wall of such room shall be properly protected immediately above the foundations by a durable damp course.
- (g) The inner surfaces of every wall and every ceiling shall be so constructed that they can without sustaining injury be frequently washed or disinfected.
- (h) The angles which are formed by one wall with any other wall and by any wall with the ceiling shall be rounded.
- (i) The external walls shall be weatherproof, the roof watertight, and properly provided with gutters and downpipes, and provision made to conduct the liquids from such downpipes to a distance of at least six feet from the walls of the building.
- (j) The drainage of the premises shall be sufficient and satisfactory and in accordance with the by-laws of the local authority.
- (k) The water supply shall be abundant and wholesome.
- (l) Ablutionary appliances shall be provided of such number and so arranged as the Commissioner or a public health official may prescribe.
- (m) A laundry with all necessary appliances sufficient to cleanse and disinfect all bedding, body clothing, linen, napery, and other similar articles shall be provided.
- (n) At least three-fifths of the area of the site shall be unbuilt upon and open to the sky.
- (o) Adequate quarters shall be provided for the staff, including a separate bathroom and lavatory.

7. Upon the receipt by the Commissioner of an application for the registration of any premises as a private hospital, he shall direct inquiries to be made respecting the application and the applicant, and if, after such inquiry, and upon the receipt from a Public Health official of a certificate in the form of Schedule "B" hereto it appears to the Commissioner that all the conditions and reservations of the preceding regulations are satisfied, he may grant the application for registration and issue to the applicant a certificate of registration; subject, however, to any conditions he may think fit to impose with respect to the maximum number of patients that shall be lodged in such hospital at any one time, the number of certificated nurses to be employed in such hospital, the class or classes of disease or cases to be admitted, and the period for which such registration is granted.

8. The certificate of registration granted in the name of the applicant as aforesaid shall be in the form set out in Schedule "C" hereto, and shall not be transferable, except with the consent in writing of the Commissioner. Every such registration shall operate only during the current calendar year, and after the thirty-first day of December of that year the premises shall, unless re-registered, become unregistered.

9. The Commissioner may revoke or cancel any registration of a private hospital if the person conducting such hospital or anyone in the employ of such person shall commit any breach or infringement of or shall neglect or fail to observe any of the provisions of the Act or regulations; or such registration may be suspended, revoked, or cancelled by the Commissioner upon the recommendation of a Public Health official.

10. A Public Health official shall at least once in each period of three months inspect every such private hospital and report to the Commissioner.

11. Every person conducting or keeping a private hospital shall—

- (a) At all times give access to every part of such premises to a medical officer, inspector, or any person appointed by the Commissioner in that behalf, and afford any such officer all reasonable assistance that may for the purpose of inspection be required of him, and shall permit any such medical officer to see and examine any patient in consultation with the medical attendant.
- (b) Flush and disinfect all drains upon the premises at least once in every day and cause all such drains to be maintained in good order and efficient action.
- (c) Provide and at all times keep upon such premises, in efficient order, all materials and appliances necessary for the use of the inmates and staff, or which may be directed by the Commissioner or a medical officer to be furnished.
- (d) At all times exercise a close personal supervision of the premises and the persons employed therein or thereon, and cause all orders or directions of the medical practitioner in charge of the treatment of any patient to be faithfully and diligently carried out.
- (e) Forthwith carry out all orders or directions that may be given from time to time by an inspector relating to the sanitary arrangements, the collection or disposal of excrementitious matter, refuse, and liquid or other wastes.
- (f) At all times keep all household linen, beds, bedding, furniture, cutlery, crockery, cooking and other utensils and all other things used in the conduct or management of such hospital, thoroughly clean and disinfected, and when required by a Public Health official shall disinfect any or all of the said things.
- (g) Not permit persons of different sexes to occupy the same room, except married couples or children under the age of ten years.
- (h) Not permit more than one married couple to occupy the same room.
- (i) Cause all refuse or condemned linen or clothing to be burnt on the premises in such a manner as may be directed by an inspector.
- (j) Provide separate approved airtight receptacles into which all used surgical dressings, human tissues or fluids other than those already provided for in these regulations shall be placed, and all such special refuse shall be burnt.

Reg. 11A  
added by  
G.G. 20/3/63,  
p. 889.

11A. (1) Every private hospital registered pursuant to these regulations shall be so maintained as to comply at all times with the conditions and reservations specified in regulation 6 of these regulations applicable to that hospital, and where any such hospital is not so maintained the Commissioner may by notice in writing given to the person conducting that hospital require him to execute

and perform, within a time to be specified in the notice, such work as in the opinion of the Commissioner is necessary to be executed and performed to ensure that the hospital complies with those conditions and reservations.

(2) The Commissioner may suspend for such period as he thinks fit, or may cancel any registration of a private hospital if the person conducting that hospital fails or neglects to execute and perform or cause to be executed and performed the work required by the Commissioner to be executed and performed by that person pursuant to a notice given to him under this regulation, within the time specified in that notice.

12. The keeper of every such private hospital shall not be absent from the premises for more than one week at any time without the written consent of the Commissioner or a medical officer.

13. (a) The keeper of a hospital of Class "A" shall not permit any maternity or surgical cases to be treated in the same ward as any other class of case, but any maternity case or cases and any surgical case or cases respectively shall be treated in a separate ward and by a separate staff.

(b) Should any of the diseases specified to be treated in a Class "B" hospital arise in a Class "A" hospital, then the keeper of such hospital shall cause such case to be immediately removed from the hospital; or if the condition of the patient is such that this cannot be done, then no maternity case shall be admitted and treated in the building in which the infectious case is being treated.

(c) Should any case of puerperal fever be admitted to a Class "B" hospital when any other case is under treatment in such hospital, then such case of puerperal fever shall be treated in a separate ward and by a separate staff.

14. Every person conducting or keeping a private hospital shall enter in a book, hereinafter called the case book, particulars concerning all patients received into such hospital, and shall at all times permit a Public Health official to inspect such case book.

15. Every such person shall cause to be recorded in such case book the full name, age, sex, and address of every patient, state whether such patient is married or single; also a short history of the patient while in such hospital, giving in particular the date of admission, the nature of any disease manifest at the time of admission or afterwards, any operation performed, with the name of the operator or operators, and the result of such operation, and the date when the patient left the hospital or, in the event of death occurring, the date of such death.

16. Every such person shall cause to be recorded in such case book, in case of confinement, the date and a short history of such confinement, the result of such confinement, both at the time of delivery and during the subsequent stay in hospital, and the sex and condition of the infant.

17. Every such person shall cause to be recorded in such case book, in all cases in which a patient has been under the professional care of a medical practitioner, or under the charge of a nurse, the name and address of a medical practitioner or of the nurse.

18. (a) Every such person shall, whenever any infectious or contagious disease occurs in such hospital, immediately report the fact to the Commissioner.

(b) Every such person shall cause any patient in such hospital discovered or suspected to be suffering from any infectious or contagious disease to be separated or isolated from all other patients in such hospital.

(c) Every such person shall carry out the requirements of a Public Health official and execute all such cleansing and disinfecting as may be directed by such officer.

(d) No such person shall suffer or permit a greater number of patients to be in any hospital than the number mentioned in her certificate of registration.

19. Every person conducting a Class "A" or Class "B" private hospital shall at all times maintain the nursing staff at not less than the following standard, that is to say:—

- (a) Not less than one general trained nurse to every three patients or portion thereof.
- (b) Not more than one probationer or nursing assistant to each general trained nurse.
- (c) Provided that at all times there shall be on duty at least one trained nurse. Provided that in Class "A" hospitals in the midwifery section there shall be a minimum staff as laid down for such institution, that is, one trained midwife to every four patients or portion thereof. In Class "C" hospitals there shall be not less than one general trained nurse on the staff.

20. Where anything by this part of the regulations is directed to be done or forbidden to be done, or where authority is given to any public health official to direct anything to be done or to forbid anything to be done, and such act so directed to be done remains undone or such act forbidden to be done is done, in every such case the person making default as to such direction and prohibition respectively shall be deemed guilty of a breach of these regulations. And every person guilty of a breach of these regulations shall be liable, for every such offence, besides any costs or expenses which may be incurred in the taking of proceedings against such person guilty of such offence, to a penalty not exceeding forty dollars for every breach of any such regulations, or to a penalty not exceeding four dollars for each day during which such breach shall be committed or continued, and in addition to such penalty shall be liable to pay to the Commission any expense incurred by the Commissioner in consequence of any breach or non-observance of any regulation or in the execution of any work directed to be executed and not so executed.

Schedule "A."

To the Commissioner of Public Health,

I hereby apply for registration of the following premises as a private hospital, under the regulations:—

Exact situation.....  
 Dimensions of ground.....  
 Materials of building.....  
 Number of rooms for patients.....  
 Measurements of each room.....  
 Number of other rooms.....  
 Number of storeys.....  
 Method of drainage.....  
 Source of water supply.....  
 Classes of cases to be admitted.....  
 Full names of applicant.....  
     Occupation.....  
     Address.....  
     Date..... Signature.....

Schedule "B."

APPLICATION TO LICENSE PREMISES AS A PRIVATE HOSPITAL.

Certificate of Public Health Official.

I, ..... a Public Health official do hereby certify that I have inspected the premises situated in ..... street ..... and known as .....

I further certify that such premises are in every way fit to be registered as a private hospital, and that due and proper provision has been made for the observance of the regulations.

Dated this ..... day of ....., 19.....

.....  
Public Health Official.

Schedule "C."

This is to certify ..... has been granted registration in respect of those premises situated at ..... as a private hospital for the treatment of a maximum number of patients of ..... until the 31st day of December next ensuing, subject to the regulations now in force or hereafter to be made.

Date.....  
Commissioner of Public Health.

Schedule "D."

			\$	Added by G.G. 8/1/65, p. 2. Amended by G.G. 9/3/66 p. 626.
(1) Private Hospitals with 9 beds or less	....	....	2.00	
(2) Private Hospitals with 10 to 19 beds	....	....	10.00	
(3) Private Hospitals with 20 beds or more	....	....	30.00	

In respect of every first registration made after the 30th day of June in any year, only one-half of the registration fee shall be payable.