



Western Australia

Hospitals and Health Services Act 1927

Women's and Children's Hospitals By-laws 2005

Women's and Children's Hospitals By-laws 2005

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Defined terms

Women's and Children's Hospitals By-laws 2005

Part 1 — Preliminary

1. Citation

These by-laws are the *Women's and Children's Hospitals By-laws 2005*¹.

2. Terms used

- (1) In these by-laws, unless the contrary intention appears —
- 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;
- board***, in relation to a Hospital, means the board of the Hospital;
- chief executive officer***, in relation to a Hospital, means the person in charge of the day-to-day management of the affairs of the Hospital;
- driver***, in relation to a vehicle, includes a rider;
- Hospital*** means —
- (a) King Edward Memorial Hospital for Women; or
 - (b) Princess Margaret Hospital for Children; or
 - (c) State Child Development Centre; or
 - (d) Stubbs Terrace Hospital;

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parking facility means land or a structure on the site that contains a parking space;

parking permit means a permit granted under by-law 16;

parking space means a section whether in a parking facility or not that is marked by means of painted lines or metallic studs or similar devices for the purpose of indicating where a vehicle may be parked, whether or not a parking permit is required in relation to the parking of the vehicle;

registered owner, in relation to a vehicle, means the person who is the holder of the vehicle licence issued under the *Road Traffic Act 1974* in respect of the vehicle;

roadway means a part of the site set aside for use by vehicular traffic, notwithstanding that it may not be a road within the definition of the *Road Traffic Act 1974*, but excludes a parking facility;

sign means a marking, notice or sign that is marked, erected or displayed by or with the authority of the chief executive officer;

site means the land described in Schedule 1;

speed restriction sign means a sign, in or adjacent to a roadway or a parking facility, that displays a number;

ticket vending machine means a machine situated in a parking facility which, when money is placed in the machine, issues a visitor's ticket;

vehicle has the same definition as in the *Road Traffic Act 1974*;

visitor's ticket means a ticket containing the day, date and time the ticket was issued from a ticket vending machine and the time of the ticket's expiry.

- (2) A reference in these by-laws to ***permission*** is a reference to permission that is —
- (a) given by the chief executive officer or an authorised person; and
 - (b) in writing; and

- (c) obtained and not revoked prior to the performing of the act that is the subject of the permission.
- (3) An officer or servant of the board is to be treated as having the permission referred to in sub-bylaw (2).

*[By-law 2 amended in Gazette 19 Dec 2006 p. 5681;
22 May 2009 p. 1695; 14 Apr 2015 p. 1353.]*

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.

[By-law 3A inserted in Gazette 14 Apr 2015 p. 1353.]

Part 2 — Trespass and order

3. No entry without cause

A person must not enter or remain on the site without a reasonable excuse.

Penalty: a fine of \$50.

[By-law 3 amended in Gazette 14 Apr 2015 p. 1355.]

4. Directions as to use of certain areas

- (1) An authorised person may, by means of a sign, direct that a specified part of the site is open to members of the public or a specified section of the public.
- (2) A direction under this by-law may be made subject to specified conditions.
- (3) The chief executive officer may cancel or vary a direction or condition under this by-law.
- (4) In this by-law —
specified means specified in the sign containing the direction.
- (5) A person must not contravene a direction under this by-law.
Penalty: a fine of \$50.

[By-law 4 amended in Gazette 14 Apr 2015 p. 1355.]

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.
[By-law 5 inserted in Gazette 14 Apr 2015 p. 1353-4.]

6. Smoking

A person must not smoke on the site.

Penalty: a fine of \$50.

[By-law 6 amended in Gazette 14 Apr 2015 p. 1355.]

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-bylaw (1).
Penalty: a fine of \$50.
- (3) The person whom an authorised person has given, or is about to give, a direction under sub-bylaw (1) may require the authorised person to produce the certificate referred to in by-law 3A(3).

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

[By-law 7 inserted in Gazette 14 Apr 2015 p. 1354.]

Part 3 — Traffic control

Division 1 — Driving and use of vehicles

8. Driving of vehicles

- (1) A person must not drive or bring a vehicle onto a part of the site that is not a roadway or a parking facility, unless the person has permission to do so.
- (2) A person must not drive or bring a vehicle that has an unladen weight of more than 4 tonnes onto the site, unless the person has permission to do so.
- (3) A person must not drive, use or stand a vehicle in a part of the site contrary to a direction in a sign that relates to that part of the site.
- (4) This by-law does not apply to a vehicle that is an emergency vehicle.

Penalty applicable to sub-by-law (1), (2) or (3): a fine of \$50.

[By-law 8 amended in Gazette 14 Apr 2015 p. 1354.]

9. Driver to obey reasonable direction

The driver of a vehicle is to obey an authorised person's reasonable direction in relation to the parking or movement of the vehicle on the site, despite that direction being different from a direction in a sign.

Penalty: a fine of \$50.

[By-law 9 amended in Gazette 14 Apr 2015 p. 1355.]

10. Speed limits

- (1) A person must not drive a vehicle on a roadway or parking facility —
 - (a) if no speed restriction sign is displayed, at a speed exceeding 8 km/h; or

- (b) if a speed restriction sign is displayed in relation to a part of a roadway or parking facility, at a speed exceeding the speed indicated by the speed restriction sign.

Penalty: a fine of \$50.

- (2) Sub-by-law (1) does not apply to the driving of an emergency vehicle.

[By-law 10 amended in Gazette 14 Apr 2015 p. 1355.]

11. Giving way

The driver of a vehicle that is entering or about to enter a parking facility is to give way to a vehicle that is leaving the parking facility.

Penalty: a fine of \$50.

[By-law 11 amended in Gazette 14 Apr 2015 p. 1355.]

12. No instruction or repairs on site

A person must not —

- (a) drive a vehicle on the site for the purpose of giving or receiving driving instructions; or
- (b) repair or adjust a vehicle on the site, except in an emergency.

Penalty: a fine of \$50.

[By-law 12 amended in Gazette 14 Apr 2015 p. 1355.]

Division 2 — Parking

13. Parking to be in parking spaces only

A person must not park a vehicle on the site unless the vehicle is parked in a parking space.

Penalty: a fine of \$50.

[By-law 13 amended in Gazette 14 Apr 2015 p. 1355.]

14. Signs to be obeyed

A person must not park, stand or move a vehicle on the site contrary to a direction in a sign.

Penalty: a fine of \$50.

[By-law 14 amended in Gazette 14 Apr 2015 p. 1355.]

15. Parking in parking spaces

- (1) A sign may contain a direction that parking in a parking space, parking facility or part of a parking facility is set aside for —
 - (a) a specified vehicle or specified class of vehicle; or
 - (b) the vehicle of a specified person or specified class of persons; or
 - (c) parking of vehicles for a specified period of time; or
 - (d) parking of vehicles for a maximum period of time as is specified; or
 - (e) vehicles that display a visitor's ticket in a specified position on the vehicle.
- (2) In this by-law —
specified means specified in a sign.
- (3) A person must not park, stand or move a vehicle in a parking space or a parking facility contrary to a direction in a sign.
Penalty: a fine of \$50.
- (4) Without limiting sub-by-law (3), a person must not park a vehicle in a parking space, parking facility or part of a parking facility set aside for vehicles displaying a visitor's ticket unless the person —
 - (a) has paid into a ticket vending machine the prescribed charge for parking the vehicle for the period of time during which the vehicle is parked; and

- (b) displays, in accordance with any direction in the sign, the visitor's ticket for that period of parking issued from the ticket vending machine.

Penalty: a fine of \$50.

- (5) For the purposes of sub-by-law (4), the prescribed charge is 60 cents for every hour or part of hour.

[By-law 15 amended in Gazette 19 Dec 2006 p. 5682; 22 May 2009 p. 1695-6; 14 Apr 2015 p. 1355.]

16. Parking in permit parking areas

A person must not park a vehicle in an area of the site set aside for parking by permit holders unless —

- (a) the person holds a parking permit of the class (if any) for which the area is set aside; and
- (b) the person parks in accordance with that permit; and
- (c) the permit is displayed in or on the vehicle in the manner specified in the permit.

Penalty: a fine of \$50.

[By-law 16 inserted in Gazette 22 May 2009 p. 1696.]

[16A. Deleted in Gazette 22 May 2009 p. 1696.]

17A. Parking permits

- (1) The chief executive officer may determine classes of parking permits and the eligibility criteria for each class of parking permit.
- (2) An authorised person may grant parking permits of such classes and subject to any conditions the authorised person thinks fit.
- (3) Without limiting sub-by-law (2) a parking permit may be subject to conditions relating to all or any of the following —
 - (a) the vehicle, vehicles, or kind of vehicles, to which it relates;

- (b) the areas in which the permit holder is permitted to park;
 - (c) the times during which, or period of time for which, the permit holder is permitted to park;
 - (d) the number of persons who must be in the vehicle at the time it arrives at, or departs from, the site.
- (4) A parking permit —
 - (a) takes effect on the day specified in it; and
 - (b) remains in effect for the period specified in it, unless it is cancelled before the end of that period.
- (5) If the holder of a parking permit of a particular class ceases to satisfy any of the eligibility criteria for that class of permit, the permit holder must notify an authorised person.
Penalty: a fine of \$50.

[By-law 17A inserted in Gazette 22 May 2009 p. 1696-7.]

17B. Application for parking permit

- (1) A person may apply to an authorised person for the grant of a parking permit.
- (2) An application must be made in writing in a form approved by the chief executive officer.
- (3) An applicant must provide the authorised person with any additional information or document that the authorised person asks for.
- (4) If an applicant does not comply with the requirements of this by-law the authorised person may decline to deal with the application and is to advise the applicant accordingly.
- (5) An applicant or other person must not give information in relation to an application that the person knows to be —
 - (a) false or misleading in a material particular; or

- (b) likely to deceive in a material way.

Penalty for an offence under this sub-by-law: a fine of \$50.

*[By-law 17B inserted in Gazette 22 May 2009 p. 1697;
amended in Gazette 14 Apr 2015 p. 1355.]*

17C. Fees for parking permits

- (1) The fee payable for a parking permit is \$3.60 for each day on which the permit holder is permitted to park a vehicle on the site (up to a maximum of \$18.00 per week).
- (2) The authorised person may issue a parking permit even though the fee for the permit is not paid in full if satisfied that arrangements are in place for the fee for the permit to be paid in instalments.

[By-law 17C inserted in Gazette 23 Dec 2011 p. 5430; amended in Gazette 28 Jun 2013 p. 2750; 13 Jun 2014 p. 1867.]

17D. Cancellation of parking permit

- (1) There are grounds for cancelling a parking permit if —
 - (a) in the case of a permit holder who pays the fee for the permit in instalments, the permit holder fails to make an instalment; or
 - (b) the permit holder fails to comply with a condition on the permit; or
 - (c) the permit holder breaches any of the by-laws in this Part; or
 - (d) the permit was granted in error in consequence of information provided in breach of by-law 17B(5); or
 - (e) the permit holder ceases to satisfy any of the eligibility criteria for the relevant class of permit; or
 - (f) the chief executive officer has determined that it is not practicable, for reasons relating to the operation or development of the site, for some or all of the permits of a class to which the permit belongs to remain in force; or

- (g) the permit holder requests that the permit be cancelled.
- (2) If an authorised person considers that there are grounds for cancelling a parking permit under sub-by-law (1)(a) to (e), the authorised person may cancel the permit by giving the permit holder 14 days written notice.
- (3) If the chief executive officer has made a determination under sub-by-law (1)(f) in relation to a class of parking permits, an authorised person may cancel a parking permit in that class by giving the permit holder 90 days written notice.
- (4) If the permit holder requests an authorised person to do so, the authorised person may cancel the permit by giving the permit holder written notice.
- (5) The notice given under this by-law must set out the grounds on which the permit is cancelled.

*[By-law 17D inserted in Gazette 22 May 2009 p. 1698;
amended in Gazette 23 Dec 2011 p. 5430.]*

17E. Refund of parking permit fees

- (1) If a parking permit is cancelled on a ground referred to in by-law 17D(1)(f) or (g) the chief executive officer must cause the amount of the fee paid for a period commencing on or after the day on which the permit is cancelled to be refunded to the permit holder.
- (2) If a parking permit is cancelled on the ground referred to in by-law 17D(1)(e) the chief executive officer may cause the amount of the fee paid for a period commencing on or after the day on which the permit is cancelled to be refunded to the permit holder.
- (3) If an authorised person is satisfied that a permit holder will not park, or has not parked, on the site for a continuous period exceeding 4 weeks, the authorised person may waive the fee payable for the permit for that period.

Women's and Children's Hospitals By-laws 2005

Part 3 Traffic control

Division 2 Parking

bl. 17E

*[By-law 17E inserted in Gazette 22 May 2009 p. 1699;
amended in Gazette 23 Dec 2011 p. 5430.]*

Part 4 — Infringement notices

17. Terms used

In this Part —

alleged offender includes the registered owner of a vehicle to which an infringement notice is attached;

infringement notice means an infringement notice under by-law 18;

modified penalty means a penalty prescribed in Schedule 2 for an offence under Part 3 or 4.

18. Infringement notices

- (1) An authorised person who has reason to believe that a person has committed an offence under Part 3 or this Part may, within 28 days after the alleged offence is believed to have been committed, give an infringement notice to the alleged offender.
- (2) An infringement notice may be given to an alleged offender by delivering it to the alleged offender or by attaching it to the vehicle involved in the commission of the alleged offence.
- (3) An infringement notice is to be in the form of Form 1 in Schedule 3 and in every case, is to —
 - (a) contain a description of the alleged offence; and
 - (b) advise that if the alleged offender does not wish to have the alleged offence heard and determined by a court, the amount of money specified in the notice as being the modified penalty for the offence may be paid to an authorised person, other than the authorised person who issued the infringement notice, within a period of 28 days after the giving of the notice.
- (4) In an infringement notice the amount specified as being the modified penalty for the offence referred to in the notice is to be the amount that was the modified penalty at the time the alleged offence is believed to have been committed.

bl. 19

- (5) An authorised person other than the authorised person who issued an infringement notice in a particular case, may extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed.
- (6) If the modified penalty specified in an infringement notice has been paid within 28 days or such further time as is allowed and the notice has not been withdrawn, the bringing of proceedings and the imposition of penalties are prevented to the same extent as they would be if the alleged offender had been convicted by a court of, and punished for, the alleged offence.
- (7) Payment of a modified penalty is not to be regarded as an admission for the purposes of any proceedings, whether civil or criminal.

*[By-law 18 amended in Gazette 22 May 2009 p. 1699;
23 Dec 2011 p. 5431.]*

19. Withdrawal of infringement notice

- (1) An authorised person other than the authorised person who issued an infringement notice in a particular case, may, whether or not the modified penalty has been paid, withdraw an infringement notice by delivering to the alleged offender a notice in the form of Form 2 in Schedule 3 stating that the infringement notice has been withdrawn.
- (2) If an infringement notice is withdrawn after the modified penalty has been paid, the amount is to be refunded.

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).

[By-law 20 inserted in Gazette 14 Apr 2015 p. 1355.]

21. Authorised persons only to endorse and alter infringement notices

A person must not endorse or alter an infringement notice unless the person is an authorised person.

Penalty: a fine of \$50.

[By-law 21 amended in Gazette 14 Apr 2015 p. 1355.]

22. Restriction on removal of infringement notices

A person must not remove an infringement notice that is attached to a vehicle unless the person is —

- (a) the driver, registered owner or person in charge of the vehicle; or
- (b) an authorised person.

Penalty: a fine of \$50.

[By-law 22 amended in Gazette 14 Apr 2015 p. 1355.]

Part 5 — General

23. Removal of vehicles

- (1) The chief executive officer or an authorised person may order that a vehicle that —
 - (a) is parked in contravention of these by-laws; or
 - (b) has been left on the site for more than 3 days,be removed to a storage place on the site.
- (2) The chief executive officer or an authorised person may order that a vehicle that —
 - (a) is parked in contravention of these by-laws; and
 - (b) is obstructing other vehicles or activities of the Hospital,be removed immediately to a storage place on the site.
- (3) An authorised person may take such action as is reasonably necessary for the purposes of removing a vehicle under this by-law, by way of unlocking, driving, towing or otherwise causing the removal of the vehicle.
- (4) The board may retain possession of a vehicle removed and stored under this by-law until —
 - (a) the owner of the vehicle has paid the fee to recover the vehicle calculated at the rate of \$50 for the first 24 hours or part thereof and \$5 for each 7 day period or part period after that; or
 - (b) if the vehicle was removed under sub-bylaw (2) — the owner or the person in charge of the vehicle has been given an infringement notice for the contravention.
- (5) Payment under sub-bylaw (4)(a) may be made by one of the following methods —
 - (a) in person to an authorised person at the site;

- (b) in person at the Metropolitan Access and Parking Department at —
100 Flinders Street
Mt. Hawthorn WA
- (c) at any Australia Post Office or agency;
- (d) by telephone on 1800 753 191;
- (e) by cheque or money order payable to “Metropolitan Access and Parking” and posted to —
Metropolitan Access and Parking
PO Box 1135
Osborne Park WA 6916

[By-law 23 amended in Gazette 23 Dec 2011 p. 5431.]

24. Registered owner may be treated as being driver or person in charge of vehicle at time of offence

- (1) If an offence under these by-laws is alleged to have been committed by the driver or person in charge of a vehicle, the chief executive officer or an authorised person may, by written notice delivered to the registered owner of the vehicle, request the name and address of the driver or person in charge of the vehicle at the time the offence is alleged to have been committed.
- (2) If the registered owner of the vehicle does not supply the requested details to the chief executive officer or the authorised person (as the case may be) within 14 days of the date of receipt of the notice, the registered owner is to be treated as being the driver or the person in charge of the vehicle at the time the offence is alleged to have been committed.

25. Other offences

A person must not —

- (a) intentionally obstruct an officer or servant of the board in the discharge of his or her duty under these by-laws;
or
- (b) remove, damage, deface or misuse a sign.

Penalty: a fine of \$50.

[By-law 25 amended in Gazette 14 Apr 2015 p. 1355.]

Schedule 1 — Hospital sites

[bl. 2]

King Edward Memorial Hospital for Women

- 1 Perth Suburban Lots 229 and 230, Folio 535
- 2 Portion of Perth Suburban Lot 228,
being part of Lot 17 on Plan 1178
- 3 Portion of Perth Suburban Lot 228,
being part of Lot 17 on Plan 1178
- 4 Portion of Perth Suburban Lot 228,
being part of Lot 18 on Plan 1178
- 5 Portion of Perth Suburban Lot 228,
being part of Lots 18 and 19 on Plan 1178
- 6 Portion of Suburban Lot 228,
being part of Lot 19 on Plan 1178
- 7 Portion of Perth Suburban Lot 228,
being Lot 20 on Plan 1178
- 8 Portion of Perth Suburban Lot 228,
being Lots 108 to 117 (inclusive) on Plan 1178
and Lots 1, 2, 3 and 4 on Diagram 22405
- 9 Portion of Perth Suburban Lot 228,
being Lot 24 on Plan 1178
- 10 Portion of Perth Suburban Lot 228,
being Lot 23 of Plan 1178
- 11 Portion of Perth Suburban Lot 228,
being part of Lot 22 on Plan 1178
- 12 Portion of Perth Suburban Lot 228,
being Lot 21 and part of Lot 22 on Plan 1178
- 13 Crown Reserve 40541, Swan Location, Lot 11162

- 14 Unnumbered Rail Reserve shown on Public Transport Authority
Plan 2106 (Railway Road Reserve, Daglish)

So much of the Reserve as is leased from the Public Transport
Authority for the purposes of the Hospital while it is leased
for that purpose.
- 15 Perth Suburban Lot 10 on Plan 489551 (10 Oxford Close, West
Leederville)

Princess Margaret Hospital for Children

Main site and surrounding car parks

- 1 Perth Lot 903 on Diagram 82676
- 2 Perth Lot 930 on Diagram 83862
- 3 Perth Lot 17 on Plan 1418
- 4 Portion of Perth Town Lots H117 and H120,
being Lot 5 on Diagram 66626
- 5 Portion of Perth Town Lots H117 and H20,
being Lot 47 on Plan 123
- 6 Portion of Perth Town Lots H117, H119, and H120,
being Lot 46 on Plan 123
- 7 Portion of Perth Town Lots H117 and H119,
being Lot 45 on Plan 123
- 8 Portion of Perth Town Lots H117 and H119,
being Lot 44 and part of Part Lot 43 on Plan 123
- 9 Part Lot 43 on Plan 123
- 10 Lot 42 on Plan 123
- 11 Portion of Perth Town Lot H119,
being Lot 28 on Plan 123
- 12 Portion of Perth Town Lot H119,
being Lot 29 on Plan 123
- 13 Portion of Perth Town Lot H119,
being Lot 1 on Diagram 20062

-
- 14 Portion of Perth Town Lot H119,
being Lot 2 on Diagram 20062

Other sites

- 15 Perth Suburban Lot 56 on Plan 79450 (1260 Hay Street, West
Perth)
- 16 Certificate of Title Volume 483 Folio 133
being portion of Perth Town Lot H117
and being Lot 53 and part of Lot 56 on Plan 123
(36-38 Hay Street, Subiaco)

while it is leased for the purposes of the Hospital
- 17 Certificate of Title Volume 1401 Folio 380
being portion of Perth Town Lot H117 and being Lot 54 and
part of Lots 55 and 56 on Plan 123
(36-38 Hay Street, Subiaco)

while it is leased for the purposes of the Hospital
- 18 Certificate of Title Volume 1409 Folio 836
being portion of Perth Town Lot H117 and being Lot 54
and part of Lots 55 and 56 on Plan 123
(36-38 Hay Street, Subiaco)

while it is leased for the purposes of the Hospital
- 19 Certificate of Title Volume 1409 Folio 835
being portion of Perth Town Lot H116 and being part of the
land on Diagram 3964
(36-38 Hay Street, Subiaco)

while it is leased for the purposes of the Hospital
- 20 Certificate of Title Volume 2134 Folio 980
being Lot 200 on Deposited Plan 31327
(80 Hay Street, Subiaco)

while it is leased for the purposes of the Hospital
- 21 Certificate of Title Volume 2134 Folio 981
being Lot 201 on Deposited Plan 31327
(82 Hay Street, Subiaco)

while it is leased for the purposes of the Hospital

- 22 Certificate of Title Volume 2543 Folio 897
 being Lot 3 on Strata Plan 44045
 (Level 1, 110 Hay St, Subiaco)

So much of the premises as is leased for the purposes of the
Hospital, while it is leased for that purpose

State Child Development Centre

Crown Reserve 33853. Lot 890

Stubbs Terrace Hospital

Part of Crown Reserve 20074 bounded by Stubbs Terrace to the
east, Grace Vaughan House to the north and perimeter
fences to the south and west.

*[Schedule 1 amended in Gazette 22 May 2009 p. 1699; 26 Nov 2010
p. 5951-2.]*

Schedule 2 — Infringement notices and modified penalties

[bl. 18]

By-law	Description of offence	Modified penalty (\$)
8(1)	Driving or bringing vehicle on part of site other than on roadway or parking facility, without permission	40
8(2)	Driving or bringing onto the site, a vehicle with an unladen weight of more than 4 tonnes, without permission	20
8(3)	Driving, using or standing on part of site, a vehicle contrary to a sign	40
9	Disobeying an authorised person's reasonable direction	20
10(1)(a)	Driving in excess of 8 km/h	40
10(1)(b)	Driving in excess of speed limit indicated by speed restriction sign	40
11	Failing to give way when entering parking facility	20
12(a)	Driving on site for the giving or receiving of driving instruction	20
12(b)	Repairing or adjusting a vehicle on site	10
13	Parking a vehicle on site not in a parking space	40
14	Failing to obey a stop sign on site	45
14	Parking, standing or moving a vehicle on site contrary to a sign other than a stop sign	40
15(1)(b) and (3)	Parking in an area on site set aside for vehicles of disabled persons identified in the manner specified in a sign, contrary to the sign	40
15(1)(e) and (3)	Displaying a visitor's ticket in a manner other than that specified in a sign	10

By-law	Description of offence	Modified penalty (\$)
15(1)(e) and (3)	Failing to display a visitor's ticket, contrary to a sign	40
15(3)	Parking, standing or moving a vehicle in a parking space or parking facility contrary to a sign in relation to vehicles of disabled persons or contrary to any sign other than sign with a direction under by-law 15(1)(e)	40
16	Unlawfully parking in a permit parking area	40
21	Unauthorised person endorsing or altering an infringement notice	20
22	Removing an infringement notice when not authorised to do so	20

*[Schedule 2 amended in Gazette 22 May 2009 p. 1699-700;
23 Dec 2011 p. 5432.]*

Schedule 3 — Forms

[bl. 18 and 19]

[Heading inserted in Gazette 13 Jun 2014 p. 1868.]

Form 1: Infringement Notice (by-law 18)

Government of Western Australia

Department of Health

Metropolitan Access and Parking Department

Women's and Children's Hospitals By-laws 2005

Infringement No.	Date	Time
Officer ID		
Location		
Car Park		

Offence

Date	Time	
By-law clause		
Description of infringement as per by-laws		
Modified Penalty	If paid before	Full Penalty

Vehicle

Reg No.	State
---------	-------

Form 1

Billpay Code

Ref

You have 28 days from when this notice was given to you to pay the modified penalty, declare you were not the driver, dispute the allegation or elect to go to court. If you do not, enforcement proceedings will be taken against you.

See over for full payment options.

Metropolitan Access and Parking

You must on or before the due date —

Pay the Infringement

Pay in person at any post office, phone 13 18 16 or go to postbillpay.com.au.

By credit card by phoning 1800 753 191.

By cheque or money order made payable to “Metropolitan Access and Parking” and posted to —

Metropolitan Access and Parking
PO Box 1135
Osborne Park WA 6916

OR

If you were not driving or the owner of the vehicle at the time of the alleged offence — submit a declaration giving the full name and address of the driver or owner. Documentary proof of sale is required if the vehicle was sold prior to the alleged offence.

A declaration form is downloadable at:

www.health.wa.gov.au/parking/infringement

OR

Dispute the allegation that you committed the offence — you may first dispute the alleged offence informally in writing at the address below.

OR

Elect go to court — fill in below and post to the address below.

If no election is made for an offence —

One reminder notice will be sent (a reminder fee applies).

After that you may (without a court hearing) be convicted of the offence and the unpaid fee amount will be your fine. Court costs will be added.

I,
of
..... Post code

Elect to attend court in relation to the alleged offence.

Dated Signed

If enforcement proceedings are taken against you, your driver's licence and/or vehicle licence may be suspended until you pay the modified penalty and expenses or you elect to go to court.

Further information is available at:

www.health.wa.gov.au/parking/infringement
or by phoning 1800 753 181 Monday - Friday 8.30 a.m.-4 p.m.
or email : parking@health.wa.gov.au
Metropolitan Access and Parking
PO Box 1135 Osborne Park WA 6916

[Form 1 inserted in Gazette 13 Jun 2014 p. 1868-70.]

Form 2: Withdrawal of Infringement Notice

Government of Western Australia

Department of Health

Metropolitan Access and Parking Department

Form 2

Date

Infringement Notice

Dear

Infringement notice No. served on you on

for the alleged offence of

.....

.....

is hereby withdrawn and no further action will be taken against you.

If you paid the modified penalty before the Infringement Notice was withdrawn,
please contact 1800 753 191 or post receipt to

Metropolitan Access Parking

PO Box 1135

Osborne Park WA 6916

Your payment will be refunded.

Yours sincerely

Signed for and on behalf of
the Parking Infringement Committee
Metropolitan Access and Parking Department

[Form 2 inserted in Gazette 13 Jun 2014 p. 1870.]

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Notes

- ¹ This is a compilation of the *Women's and Children's Hospitals By-laws 2005* and includes the amendments made by the other written laws referred to in the following table ^{1a}. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Women's and Children's Hospitals By-laws 2005</i>	28 Jan 2005 p. 481-504	28 Jan 2005
<i>Women's and Children's Hospitals Amendment By-laws 2006</i>	19 Dec 2006 p. 5681-3	19 Dec 2006
<i>Women's and Children's Hospitals Amendment By-laws 2009</i>	22 May 2009 p. 1695-700	bl. 1 and 2: 22 May 2009 (see bl. 2(a)); By-laws other than bl. 1 and 2: 23 May 2009 (see bl. 2(b))
Reprint 1: The Women's and Children's Hospitals By-laws 2005 as at 8 Jan 2010 (includes amendments listed above)		
<i>Women's and Children's Hospitals Amendment By-laws 2010</i>	26 Nov 2010 p. 5951-2	bl. 1 and 2: 26 Nov 2010 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jan 2011 (see bl. 2(b))
<i>Women's and Children's Hospitals Amendment By-laws 2011</i>	24 Jun 2011 p. 2506-7	bl. 1 and 2: 24 Jun 2011 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2011 (see bl. 2(b))
<i>Women's and Children's Hospitals Amendment By-laws (No. 2) 2011</i>	23 Dec 2011 p. 5429-33	bl. 1 and 2: 23 Dec 2011 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jan 2012 (see bl. 2(b))
<i>Women's and Children's Hospitals Amendment By-laws 2013</i>	28 Jun 2013 p. 2750	bl. 1 and 2: 28 Jun 2013 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2013 (see bl. 2(b))
Reprint 2: The Women's and Children's Hospitals By-laws 2005 as at 7 Mar 2014 (includes amendments listed above)		
<i>Women's and Children's Hospitals Amendment By-laws (No. 2) 2014</i>	13 Jun 2014 p. 1867-70	bl. 1 and 2: 13 Jun 2014 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2014 (see bl. 2(b))

Citation	Gazettal	Commencement
<i>Women's and Children's Hospitals Amendment By-laws 2015</i>	14 Apr 2015 p. 1352-5	bl. 1 and 2: 14 Apr 2015 (see bl. 2(a)); By-laws other than bl. 1 and 2: 15 Apr 2015 (see bl. 2(b))

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Citation	Gazettal	Commencement
<i>Women's and Children's Hospitals Amendment By-laws 2014</i> bl. 3-9 ²	8 Jan 2015 p. 205-8	Operative on the day fixed under the <i>Road Traffic (Administration) Act 2008</i> s. 2(b) (see bl. 2(b))

² On the date as at which this compilation was prepared, the *Women's and Children's Hospitals Amendment By laws 2014* bl. 3-9 had not come into operation. They read as follows:

3. By-laws amended

These by-laws amend the *Women's and Children's Hospitals By-laws 2005*.

4. By-law 2 amended

- (1) In by-law 2(1) delete the definition of **registered owner**.
- (2) In by-law 2(1) insert in alphabetical order:

responsible person, for a vehicle, means the person responsible for the vehicle under the *Road Traffic (Administration) Act 2008* section 6;

- (3) In by-law 2(1) in the definition of **roadway** delete "definition of the *Road Traffic Act 1974*," and insert:

meaning of the *Road Traffic (Administration) Act 2008* section 4,

- (4) In by-law 2(1) in the definition of **vehicle** delete "same definition as in the *Road Traffic Act 1974*;" and insert:

meaning given in the *Road Traffic (Administration) Act 2008* section 4;

5. By-law 17 amended

In by-law 17 in the definition of *alleged offender* delete “registered owner of” and insert:

responsible person for

6. By-law 22 amended

Delete by-law 22(a) and insert:

- (a) the driver of, responsible person for, or person in charge of, the vehicle; or

7. By-law 23 amended

In by-law 23(4):

- (a) in paragraph (a) delete “owner of” and insert:

responsible person for

- (b) in paragraph (b) delete “owner” and insert:

responsible person for

8. By-law 24 amended

- (1) In by-law 24(1) delete “registered owner of” and insert:

responsible person for

- (2) In by-law 24(2):

- (a) delete “registered owner of” and insert:

responsible person for

- (b) delete "registered owner is" and insert:

responsible person is

Note: The heading to amended by-law 24 is to read:

Responsible person may be treated as driver or person in charge of vehicle

9. Schedule 3 amended

In Schedule 3 Form 1:

- (a) delete "owner of" and insert:

responsible person for

- (b) delete "owner." and insert:

responsible person.

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)
alleged offender	17
authorised person	2(1)
board	2(1)
chief executive officer	2(1)
driver.....	2(1)
Hospital.....	2(1)
infringement notice	17
modified penalty	17
parking facility.....	2(1)
parking permit.....	2(1)
parking space	2(1)
permission.....	2(2)
prohibited item.....	5(1)
registered owner.....	2(1)
roadway.....	2(1)
sign.....	2(1)
site.....	2(1)
specified	4(4), 15(2)
speed restriction sign	2(1)
ticket vending machine	2(1)
vehicle.....	2(1)
visitor's ticket	2(1)