

HE302*

Hospitals and Health Services Act 1927

Bentley Hospital Amendment By-laws 2015

Made under section 22 of the Act by the Minister in his capacity as the board of the Bentley Hospital.

1. Citation

These by-laws are the *Bentley 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 *Bentley Hospital By-laws 2001*.

4. By-law 2 amended

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

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 means the board of the Bentley Hospital;

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-bylaw (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-bylaw (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-bylaw: 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-bylaw (1).

11. Various penalties amended

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

a fine of

Table

bl. 3	bl. 4(5)
bl. 6	bl. 9
bl. 10(1)	bl. 11
bl. 12	bl. 13

bl. 14	bl. 15(3)
bl. 15(4)	bl. 21
bl. 22	bl. 25

K. HAMES,
The Minister in his capacity as the
board of the Bentley Hospital.
