

HE303\*

Hospitals and Health Services Act 1927

## **Fiona Stanley Hospital Amendment By-laws 2015**

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

**1. Citation**

These by-laws are the *Fiona Stanley 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 *Fiona Stanley Hospital By-laws 2014*.

**4. By-law 3 amended**

In by-law 3(1) delete the definition of *authorised person* and insert:

*authorised person* means a person appointed under by-law 4A as an authorised person for the purposes of the by-law in which the term is used;

**5. By-law 4A inserted**

At the end of Part 1 insert:

**4A. 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-by-law (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 8(1), or issue an infringement notice under by-law 27(1), a certificate stating that the person is so authorised.

**6. By-law 6 replaced**

Delete by-law 6 and insert:

**6. 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 8 replaced**

Delete by-law 8 and insert:

**8. 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 4 or 6.
- (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-by-law (1) may require the authorised person to produce the certificate referred to in by-law 4A(3).
- (4) The authorised person must comply with a request under sub-by-law (3).

**8. By-law 22 amended**

In by-law 22(5) delete "Penalty:" insert:

Penalty for an offence under this sub-by-law:

**9. By-law 29 amended**

- (1) Delete by-law 29(1).
- (2) In by-law 29(2) delete "sub-by-law (1)." and insert:

by-law 4A(3).

Note: The heading to amended by-law 29 is to read:

**Authorised persons to produce certificate**

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

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