

HE304\*

Hospitals and Health Services Act 1927

## Fremantle Hospital Amendment By-laws 2015

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

### 1. Citation

These by-laws are the *Fremantle 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 *Fremantle Hospital By-laws 1992*.

### 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 I 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 20(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 9 amended**

In by-law 9(3) in the Penalty delete “Penalty:” and insert:

Penalty for an offence under sub-by-law (1), (2) or (3): a fine of

**9. By-law 16 amended**

In by-law 16(4) in the Penalty delete “\$50.00.” and insert:

a fine of \$50.

**10. By-law 17 amended**

In by-law 17(9) in the Penalty delete “Penalty:” and insert:

Penalty for an offence under this sub-by-law: a fine of

**11. By-law 22 replaced**

Delete by-law 22 and insert:

**22. Authorised persons to produce certificate**

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 4A(3).

**12. Various penalties amended**

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

a fine of

**Table**

bl. 4	bl. 5(5)
bl. 7	bl. 10

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bl. 11(1)	bl. 12
bl. 13	bl. 14
bl. 15	bl. 16(3)
bl. 23	bl. 24
bl. 27	

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

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