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**HEALTH**

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HE301\*

Hospitals and Health Services Act 1927

**Royal Perth Hospital Amendment By-laws  
(No. 2) 2015**

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

**1. Citation**

These by-laws are the *Royal Perth Hospital Amendment By-laws (No. 2) 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 1 July 2015.

**3. By-laws amended**

These by-laws amend the *Royal Perth Hospital By-laws 2009*.

**4. By-law 3 amended**

- (1) In by-law 3(1) delete the definition of *permit*.

- (2) In by-law 3(1) insert in alphabetical order:

*parking permit* means a permit granted under by-law 19C(2);

*prescribed fee*, in relation to a matter, means the fee specified for that matter in Schedule 2A;

*ticket* means a ticket from a ticket vending machine showing —

- (a) the day of issue of the ticket; and
- (b) the time of issue or expiry, or the time of issue and expiry, of the ticket;

*ticket vending machine* means a machine situated in a parking facility which issues a ticket;

- (3) In by-law 3(1) in the definition of *parking space* delete “permit” and insert:

parking permit or a ticket

## 5. By-laws 17 and 18 replaced

Delete by-laws 17 and 18 and insert:

### 17. Types of parking areas

- (1) The chief executive officer may set aside a parking facility or part of a parking facility as —
  - (a) a ticket parking area or a boom gate controlled ticket parking area for the purposes of by-law 18; or
  - (b) a paid staff parking area for the purposes of by-law 19A; or
  - (c) a permit parking area for the purposes of by-law 19B.
- (2) An area set aside under sub-bylaw (1) must be identified as such by a sign or signs.

### 18. Parking in ticket parking area or boom gate controlled ticket parking area

- (1) In this by-law —

*boom gate controlled ticket parking area* means a boom gate controlled ticket parking area set aside under by-law 17(1)(a);

*ticket parking area* means a ticket parking area set aside under by-law 17(1)(a).

- (2) A person must not park a vehicle in a ticket parking area unless —
- (a) the person has purchased a ticket by paying the prescribed fee for the length of time for which the vehicle is to be parked; and
  - (b) if a sign in the parking area requires that the ticket be displayed in the vehicle — the ticket is displayed as required.

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

- (3) A person does not commit an offence under sub-bylaw (2) if —
- (a) the person has permission to park in the ticket parking area; and
  - (b) where a sign in the parking area requires that a ticket be displayed in the vehicle — the permission is displayed as required as if it were a ticket.

- (4) A person must not drive a vehicle into or park a vehicle in a boom gate controlled ticket parking area unless the person has obtained a ticket from a ticket vending machine situated at the entrance to the parking area.

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

- (5) A person must not remove a vehicle from a boom gate controlled ticket parking area without paying the prescribed fee for the length of time for which the vehicle has been parked.

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

- (6) A person does not commit an offence under sub-bylaw (4) or (5) if the person —

- (a) has permission to park in the boom gate controlled ticket parking area; and
- (b) produces the permission for inspection when requested to do so by an authorised person.

- (7) A person who has parked a vehicle in a ticket parking area or a boom gate controlled ticket parking area must not leave the site while the vehicle is parked there.

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

#### **19A. Parking in paid staff parking area**

- (1) In this by-law —

*eligible staff member* means a person who is in a class of persons determined by the chief executive officer under sub-bylaw (5);

*paid staff parking area* means an area set aside under by-law 17(1)(b).

- (2) A person must not park a vehicle in a paid staff parking area unless the person is an eligible staff member.  
Penalty for an offence under this sub-by-law: a fine of \$50.
- (3) An eligible staff member who parks a vehicle in a paid staff parking area must pay the prescribed fee for the length of time for which the vehicle has been parked before removing the vehicle from the parking area.  
Penalty for an offence under this sub-by-law: a fine of \$50.
- (4) A fee payable under this by-law is to be paid in an approved manner.
- (5) The chief executive officer may determine classes of persons who are eligible to park in paid staff parking areas.

**19B. Parking in permit parking area**

- (1) In this by-law —  
*permit parking area* means an area set aside under by-law 17(1)(c).
- (2) A person must not park a vehicle in a permit parking area 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 the vehicle in accordance with that permit; and
  - (c) the permit is displayed in or on the vehicle in the manner specified in the permit.

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

**19C. 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 for an offence under this sub-bylaw: a fine of \$50.

**19D. 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 an approved form.
- (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-bylaw: a fine of \$50.

**19E. Fees for parking permits**

- (1) The prescribed fee is payable for a parking permit.
- (2) The chief executive officer may waive the prescribed fee for a parking permit in a case where the chief executive officer, or an authorised person, believes that there are proper grounds for doing so.

- (3) An authorised person must not grant a parking permit unless at the time it is granted —
  - (a) the applicant pays the fee in full for the whole of the period for which the permit is to be in force; or
  - (b) the authorised person is satisfied that arrangements are in place for the fee to be paid by the applicant in fortnightly payments made by way of payroll deduction; or
  - (c) the authorised person is satisfied that the fee for the permit has been or will be paid by the applicant in any other approved manner; or
  - (d) the fee for the permit has been waived.

**19F. 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 as described in by-law 19E(3)(b) or (c) — the permit holder fails to make a payment when it is due; 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 19D(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 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 permit, an authorised person may cancel a parking permit in that class by giving the permit holder 60 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.

**19G. Refund of parking permit fees**

- (1) If a parking permit is cancelled on a ground referred to in by-law 19F(1)(f) or (g), the chief executive officer must cause any permit fee paid for any week 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 19F(1)(e) the chief executive officer may cause any permit fee paid for any week 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 fees payable for the permit for that period.

**6. By-law 25 amended**

- (1) Delete by-law 25(4) and insert:
  - (4) The board may retain possession of a vehicle removed and stored under this by-law until the responsible person for the vehicle has paid the prescribed fee.
- (2) In by-law 25(5) delete “sub-by-law (4)(a)” and insert:

sub-by-law (4)

**7. Schedule 2A replaced**

Delete Schedule 2A and insert:

**Schedule 2A — Fees**

[bl. 18, 19A, 19E and 25(4)]

By-law		Fee
18(2) or (5)	Ticket parking	\$3.50 per hour up to a maximum of \$14.50 per day

By-law		Fee
19A(3)	Paid staff parking	\$5.90 per day, up to a maximum of \$29.50 per week
19E(1)	Parking permit	No fee
25(4)	Removal and storage of vehicle — (a) basic fee plus	\$50.00
	(b) if vehicle is stored for more than 24 hours — for each 7 days or part of 7 days for which vehicle is stored after first 24 hours	\$5.00

#### 8. Schedule 2 amended

In Schedule 2 delete the item for by-law 17(9) and insert:

18(2)(a)	Parking in ticket parking area without purchasing ticket for required period .....	30
18(2)(b)	Parking in ticket parking area without displaying ticket .....	30
18(4)	Parking in boom gate controlled ticket parking area without ticket .....	30
18(5)	Removing vehicle from boom gate controlled ticket parking area without paying prescribed fee .....	30
18(7)	Parking vehicle in ticket parking area or boom gate controlled ticket parking area and leaving site while vehicle is parked there .....	30
19A(2)	Parking in paid staff parking area when not an eligible staff member .....	45
19A(3)	Failing to pay before leaving paid staff parking area .....	20
19B(2)	Unlawfully parking in permit parking area .....	45

K. D. HAMES, The Minister in his capacity as the board  
of the Royal Perth Hospital.