

HE303\*

Hospitals and Health Services Act 1927

## **Swan District Hospital (Eveline Road Site) Amendment By-laws 2015**

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

### **1. Citation**

These by-laws are the *Swan District Hospital (Eveline Road Site) 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 *Swan District Hospital (Eveline Road Site) By-laws 2005*.

### **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 Swan District 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-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 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 6 amended**

In by-law 6 in the Penalty delete “Penalty:” and insert:

Penalty: a fine of

**8. 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-by-law (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-by-law (3).

**9. By-law 16 amended**

In by-law 16(8) in the Penalty delete “Penalty:” insert:

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

**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-by-law (1).

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