

Western Australia

**Hospitals and Health Services Amendment Act
2006**

As at 04 Oct 2006

No. 45 of 2006

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Western Australia

Hospitals and Health Services Amendment Act 2006

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Hospitals and Health Services Amendment Act 2006

No. 45 of 2006

An Act to amend the *Hospitals and Health Services Act 1927*.

[Assented to 4 October 2006]

The Parliament of Western Australia enacts as follows:

1. Short title

This is the *Hospitals and Health Services Amendment Act 2006*.

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. The Act amended

The amendments in this Act are to the *Hospitals and Health Services Act 1927**.

[* *Reprinted as at 15 October 1999.*
For subsequent amendments see Western Australian Legislation Information Tables for 2004, Table 1, p. 208 and Act No. 42 of 2004.]

4. Section 26K replaced

Section 26K is repealed and the following section is inserted instead —

“

26K. Offences

A person must not —

- (a) conduct or manage, or by any means hold out that the person conducts or manages, a private hospital unless —
 - (i) the person is the holder of a licence; or
 - (ii) the private hospital is a nursing home and the conduct or management of the nursing home is a residential care service, or part of a residential care service, that is certified under Part 2.6 of the *Aged Care Act 1997* of the Commonwealth;

- (b) conduct or manage, or by any means hold out that that person conducts or manages, a private hospital unless —
 - (i) the premises are premises that are approved as a private hospital under this Part; or
 - (ii) the premises are a nursing home and the conduct or management of the nursing home is a residential care service, or part of a residential care service, that is certified under Part 2.6 of the *Aged Care Act 1997* of the Commonwealth;

or

- (c) build, alter or extend a private hospital unless —
 - (i) the Commissioner has approved of the building, alteration or extension, as the case requires; or
 - (ii) the private hospital is a nursing home and the conduct or management of the nursing home is a residential care service, or part of a residential care service, that is certified under Part 2.6 of the *Aged Care Act 1997* of the Commonwealth.

Penalty: \$5 000.

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