

HOSPITALS.

No. 64 of 1980.

AN ACT to amend the Hospitals Act 1927-1976.

[Assented to 26 November 1980.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Hospitals Amendment Act 1980*. Short title and citation.

(2) In this Act the Hospitals Act 1927-1976 is referred to as the principal Act. Reprinted as approved 11 December 1972, and amended by Acts Nos. 10 of 1973, 104 of 1975 and 71 of 1976.

(3) The principal Act as amended by this Act may be cited as the Hospitals Act 1927-1980.

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Section 15
amended.

3. Section 15 of the principal Act is amended—

(a) in subsection (1) by inserting after “public hospital” the following—

“ and, without limiting his absolute discretion as to whom he appoints, may, if he thinks fit, direct the hospital board, or, if there be no hospital board appointed in relation to that hospital, the Minister acting under section 7 of this Act as the board, to seek nominations, in accordance with the regulations, of persons for appointment to a hospital board ” ;

(b) by inserting after subsection (1) the following subsection—

“ (1a) Upon the expiry or sooner termination of the term of office of a person as a member of the hospital board of a teaching hospital that was current when the Hospitals Amendment Act 1980 came into operation, the Minister may, if he considers that a reduction in the membership of the hospital board would facilitate the performance by the hospital board of its functions, recommend to the Governor that the office formerly occupied by that person be abolished and thereupon the Governor may reduce the membership of the hospital board by abolishing the office and the hospital board shall be fully constituted with the membership as so reduced. ” ; and

(c) in subsection (6) by inserting after “Chairman” the following—

“ except in the case of the hospital board of a teaching hospital when the Minister shall appoint one of the members of the hospital board to be the Chairman ”.

4. Section 21 of the principal Act is amended by inserting after paragraph (a) the following paragraph—

Section 21
amended.

- “ (aa) The payment in accordance with the regulations of expenses incurred by the board in connection with the nomination of any person for appointment to the board. ”.

5. Section 37 of the principal Act is amended—

Section 37
amended.

(a) in subsection (2)—

(i) by deleting “and” after paragraph (c); and

(ii) by deleting “practitioner.” at the end of the subsection and substituting the following—

“ practitioner; and

(e) without limiting his absolute discretion under subsection (1) of section 15 of this Act as to the appointment of persons to a hospital board, prescribe—

(i) persons, bodies, or groups of persons from all or any of whom the Governor may direct that nominations be sought of persons for appointment to hospital boards;

(ii) the maximum number of persons nominated by a particular person, body, or group of persons who may hold office as members of the same hospital board at any one time,

and make provision—

- (iii) for the holding of elections, where necessary, of persons to be nominated by persons, bodies, or groups of persons, and as to the qualifications of electors, and the procedures to be followed, at such elections;
- (iv) as to the eligibility of persons for nomination by any person, body, or group of persons, for appointment to a hospital board, which may include provision for the Minister in a particular case to direct, for the purpose of ensuring that not more than one-half of the membership of the hospital board of a teaching hospital is made up of persons who are practitioners, that the person to be so nominated shall not be a practitioner;
- (v) for expenses incurred by a hospital board in connection with the nomination of any person for appointment to the hospital board in accordance with the regulations to be borne and paid out of the funds of the hospital board. ”;

and

- (b) in paragraph (a) of subsection (3)—
- (i) by deleting “and” after subparagraph (i); and
 - (ii) by inserting after subparagraph (ii) the following—
 - “ and
 - (iii) generally or in a particular class of case or in particular classes of cases; ” .
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