

UNIVERSITY MEDICAL
SCHOOL,
TEACHING HOSPITALS.

No. 21 of 1985.

AN ACT to amend the University Medical School,
Teaching Hospitals, Act 1955.

[Assented to 19 April 1985.]

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 *University Medical School, Teaching Hospitals, Amendment Act 1985*. Short title and principal Act.

(2) In this Act the University Medical School, Teaching Hospitals, Act 1955 is referred to as the principal Act. Act No. 31 of 1955 as amended by Act No. 28 of 1984.

(b) has not ceased by reason of a declaration made under section 3 (2),

to be a teaching hospital to which the provisions of this Act apply. ”.

3. Section 3 of the principal Act is amended by inserting after— Section 3 amended.

(a) “3.” the following—

“ (1) ”;

(b) “declare the” in the existing section the following—

“ public ”; and

(c) the existing section the following subsections—

“ (2) If the Senate is of opinion that a public hospital that is declared to be a teaching hospital under subsection (1) should no longer be a teaching hospital to which the provisions of this Act apply, the Senate shall give written notification to that effect to the Minister who shall, as soon after receiving it as is practicable, present that notification to the Governor who may by proclamation declare that that public hospital ceases with effect from the date specified in that proclamation to be a teaching hospital to which the provisions of this Act apply.

(3) The Minister may, if the name of a public hospital that is declared to be a teaching hospital under subsection (1) (in this subsection called “the public hospital name”) has been changed, recommend to the Governor

that the name of the teaching hospital (in this subsection called "the teaching hospital name") be changed to accord with the public hospital name as changed, and the Governor may by proclamation change the teaching hospital name in accordance with that recommendation with effect from the date specified in that proclamation, being a date not earlier than the date on which the change to the public hospital name to which that recommendation relates took place.

(4) The identity and rights and obligations of a teaching hospital the name of which is changed under subsection (3) are not affected by that change and a reference to that teaching hospital as a teaching hospital in a written law or a document or instrument by its name as it was prior to that change shall be construed as a reference to that teaching hospital by its name as so changed. ”.

Section 4
repealed and
substituted.

4. Section 4 of the principal Act is repealed and the following section is substituted—

Power of
managing
body or
Minister to
enter into
agreement
with Senate.

“ 4. (1) Subject to subsection (2) and to section 5—

(a) if a teaching hospital has a managing body, its managing body; or

(b) if a teaching hospital does not have a managing body, the Minister,

may—

(c) enter into an agreement with the Senate in relation to—

(i) the provision in the teaching hospital of facilities for research and for the teaching of medicine, including the use of

land under the control of the teaching hospital and the erection of buildings thereon;

- (ii) the admission of medical students to the practice, referred to in that agreement, of the teaching hospital;
- (iii) except in the case of a teaching hospital which is on the reserve within the meaning of the Queen Elizabeth II Medical Centre Act 1966, the formation of an electoral committee for the teaching hospital charged with the responsibility of making recommendations to the managing body of the teaching hospital or the Minister, as the case requires, concerning the appointment of persons who are concerned with teaching duties to the consultant clinical staff of the teaching hospital;
- (iv) the making of arrangements whereby—

- (A) members of the medical staff of the Faculty of Medicine of; and

- (B) other staff of, or persons nominated by,

The University of Western Australia who are recommended by—

- (C) the electoral committee of the teaching hospital referred to in subparagraph (iii); or

(D) in the case of a teaching hospital which is on the reserve within the meaning of the Queen Elizabeth II Medical Centre Act 1966, the appointments committee of that teaching hospital referred to in section 16 of that Act,

may practise within the teaching hospital and participate in the teaching of medical students; and

(v) any other matter necessary or convenient for the establishment or carrying on of the research, practice and teaching function, referred to in that agreement, of the teaching hospital;

and

(d) make by-laws—

(i) regulating the admission, duties and discipline of medical students; and

(ii) fixing clinical fees for medical students admitted to the practice of the teaching hospital.

(2) The managing body of a teaching hospital shall not without the prior approval of the Minister enter into an agreement under subsection (1) in relation to the provision in the teaching hospital of facilities for research or for the teaching of medicine, being facilities which consist of—

(a) the use of land under the control of the teaching hospital or the erection of buildings thereon; or

- (b) the acquisition of equipment of a type (however described or identified), or of more than a value, or of both—
 - (i) determined by the Minister; and
 - (ii) notified in writing to that managing body. ”.

5. Section 5 of the principal Act is amended—

Section 5
amended.

(a) in subsection (1) by deleting—

- (i) “four of this Act” and substituting the following—

“ 4 ”; and

- (ii) “or subsection (3) of this section” and substituting the following—

“ or (3) ”;

and

(b) by repealing subsections (2) and (3) and substituting the following subsections—

“ (2) If a teaching hospital referred to in subsection (1) is a mental health hospital, the Advisory Committee shall consist of—

- (a) a person nominated by the Senate;
- (b) a person nominated by the Faculty of Medicine of The University of Western Australia;
- (c) the Director, Psychiatric Services, of the department of the Public Service of the State principally assisting the Min-

ister charged with the administration of the Mental Health Act 1962 or a person nominated by him; and

- (d) a medical practitioner nominated by the Minister charged with the administration of the Mental Health Act 1962.

(3) If a teaching hospital referred to in subsection (1) is not a mental health hospital, the Advisory Committee shall consist of—

- (a) a person nominated by the Senate;
- (b) a person well versed in hospital administration (not being a medical practitioner) nominated by the Minister;
- (c) a person nominated by the Faculty of Medicine of The University of Western Australia;
- (d) the Executive Director, Personal Health Services, in the department of the Public Service of the State principally assisting the Minister charged with the administration of the Hospitals Act 1927 or a person nominated by him; and
- (e) a medical practitioner nominated by the Minister. ”.