

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 232.

Public Hospitals.

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Health at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

References in or in relation to this Chapter to—

“the Departmental Head”—should be read as references to the Secretary for Health;

“the Department”—should be read as references to the Department of Health.

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¹Subsidiary legislation has not been up-dated.

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CHAPTER NO. 232.

Public Hospitals Act.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 232.

Public Hospitals Act.

Being an Act relating to public hospitals.

1. Interpretation.

In this Act—

“public hospital” means a public hospital established and maintained under Section 2;

“the regulations” means any regulations made under this Act.

2. Establishment, etc., of public hospitals.

(1) The Minister may establish and maintain at any place in the country a public hospital for the reception or relief of—

- (a) persons requiring medical or surgical treatment; and
- (b) persons suffering from any disease.

(2) A public hospital shall be maintained and carried on in accordance with this Act.

(3) Every public hospital shall have a name determined by the Minister, the last two words of which shall be “Public Hospital”.

(4) The Minister may close any public hospital.

3. Management of public hospitals.

Subject to the control of the Departmental Head and to the regulations, a public hospital shall be managed by—

- (a) a medical officer; or
- (b) medical officers and other officers,

appointed for the purpose by the Minister.

4. Staff.

The Minister may appoint—

- (a) medical officers and other officers, matrons, nurses, attendants and servants to a public hospital; and
- (b) district nurses, for the purpose of attending sick persons elsewhere than in a public hospital.

5. Admission of patients.¹

The terms on which a patient may be admitted into a public hospital and the fees to be paid by a patient, and all other matters affecting patients in a public hospital (other than their medical treatment), are as prescribed.

6. Hospital revenues.

All moneys earned by a public hospital shall be paid into the Consolidated Revenue Fund.

¹See, also, the *Public Hospitals Charges Act*.

7. Boards of Advice.

- (1) There shall be a Board of Advice for each public hospital.
- (2) A Board of Advice shall consist of not less than three nor more than 14 persons appointed by the Minister.
- (3) A member of a Board of Advice holds office for such period, not exceeding three years, as the Minister determines.
- (4) In the event of a casual vacancy in the office of a member of a Board of Advice, the Minister may appoint a person to fill the vacancy.
- (5) A person appointed under Subsection (4) holds office for the balance of his predecessor's term of office remaining unexpired at the date of the appointment.
- (6) The Minister may remove a member of a Board of Advice from office.
- (7) A Board of Advice shall—
 - (a) visit the public hospital for which it was appointed; and
 - (b) report to the Minister annually on the hospital.
- (8) A quorum for a meeting of a Board of Advice is—
 - (a) two members of the Board; or
 - (b) one-half of the number of the members of the Board,

whichever is the greater.

(Amended by No. 25 of 1976, Schedule 27.)

8. Dealings with certain hospital property.

- (1) Where any property—
 - (a) was vested by Section 4 of the pre-Independence *Public Hospitals Act (Amalgamated)* 1973 in the former High Commissioner of Papua New Guinea under the *Papua New Guinea Act 1949-1973* of Australia, as in force from time to time; and
 - (b) is accordingly vested in the State,the Head of State, acting on advice, may cause the property to be sold, leased or exchanged.
- (2) The proceeds of the sale, lease or exchange, by the State or any former Administration in Papua New Guinea, under—
 - (a) Subsection (1); or
 - (b) Section 5 of the pre-Independence *Public Hospitals Act (Amalgamated)* 1973,of any property to which Subsection (1)(a) applies shall be used—
 - (c) subject to Paragraph (d), for hospital purposes generally; or
 - (d) if the property was given or bequeathed to, or acquired by, a former administration for some particular hospital—for the purposes of that hospital.

9. Regulations.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

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CHAPTER NO. 232

Public Hospitals Regulation.

ARRANGEMENT OF SECTIONS.

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PART III.—RULES AS TO PATIENTS.

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7. Entry to wards.
8. Smoking.
9. Food, drink.
10. Payment to staff.
11. Conduct.
12. Patient's property.
13. Note of name of next friend, etc.
14. Personal information.
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16. Relatives, etc.
17. Exclusion of visitors.
18. Gratuities, etc.
19. Gifts of food, etc.

PART V.—RADIOGRAPHIC EXAMINATIONS.

20. Radiographic examinations.

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21. Books and accounts.
22. Inspection of books.
23. Exhibition of rules.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 232.

Public Hospitals Regulation.

Made under the *Public Hospitals Act.*

PART I.—PRELIMINARY.

1. Application.

This Regulation applies to—

- (a) the Port Moresby Public Hospital; and
- (b) the Samarai Public Hospital; and
- (c) such other public hospitals as the Minister, by notice in the National Gazette, declares.

PART II.—ADMISSION OF PATIENTS.

2. Admission of patients.

(1) Patients who are proper subjects for medical or surgical treatment may be admitted to a hospital to which this Regulation applies by the medical officer in charge.

(2) If the medical officer in charge refuses to admit a person to the hospital, the person may refer the matter to the Minister, or to a person authorized by the Minister, whose decision is final.

3. Emergencies, etc.

In cases of emergency or when the medical officer in charge is not immediately available, patients shall be admitted by the matron or nurse in charge.

4. Intoxicated patients.

Admission may be refused to any patient who presents himself for admission in a state of intoxication.

PART III.—RULES AS TO PATIENTS.

5. Hospital rules.

Patients shall—

- (a) observe the rules of the hospital; and
- (b) follow the directions of the medical officer in charge, matron and nurses.

6. Hours.

All patients considered by the medical officer in charge to be able to leave their beds shall rise and retire to rest at such hours as are fixed by the medical officer in charge or matron.

7. Entry to wards.

Except by direction of the matron, a patient shall not enter any ward except that in which the bed assigned to him is.

8. Smoking.

A patient shall not smoke except with the permission of the medical officer in charge.

9. Food, drink.

A patient shall not bring or cause to be brought into the hospital, or receive, any article of food or drink other than such as is provided by order of the medical officer in charge.

10. Payment to staff.

Except as expressly permitted in this Regulation, a patient, or a person on behalf of a patient, shall not give to any medical officer or other member of the staff any fee, reward or gratuity in money or in kind, nor shall any medical officer or other member of the staff receive any such fee, reward or gratuity.

11. Conduct.

Every patient shall—

- (a) conduct himself decently and in an orderly manner; and
- (b) not only refrain from annoying his fellow patients but assist them as much as possible.

12. Patient's property.

(1) On admission to hospital the patient shall give his money and effects to the matron.

(2) If possible the matron shall receive the patient's money and effects in the presence of a witness.

(3) The matron shall make an inventory of the patient's money and effects, which shall be signed by the patient if he is able to do so.

(4) The inventory made under Subsection (3) shall be entered in the official record of the hospital.

(5) The matron shall give the money and valuables to—

- (a) the appropriate officer of the Department of Finance at Port Moresby; or
- (b) the Principal Officer of Customs at Samarai,

for safe custody.

(6) The officer referred to in Subsection (5) shall initial the official record as having received the property, and thereupon the matron's responsibility ceases.

(7) The matron shall cause all other articles to be cleansed and to be neatly stored.

(8) Subject to Subsection (9), all property held in charge for a patient shall be restored to him before his discharge, and in the case of his death shall be sent—

- (a) to the Public Curator for safe-keeping, if it is of considerable value; or
- (b) otherwise, to his next friend.

(9) There shall be deducted from any money held in charge for a patient the sum, or any part of the sum, that the patient is liable to pay to the State for fees for maintenance.

13. Note of name of next friend, etc.

On admission to hospital a patient shall give the matron the name and address of—

- (a) his next friend; or
- (b) some other person to whom he wishes notice to be given concerning him in case of emergency.

14. Personal information.

On admission to hospital a patient shall give to the matron all the information required of him to keep the official record of admissions and discharges.

15. Complaints.

Complaints by patients shall be made to the medical officer in charge.

PART IV.—RULES AS TO VISITORS.

16. Relatives, etc.

(1) Subject to any definite instructions given by the medical officer in charge, and ordinarily at reasonable hours—

(a) relatives and friends of patients in danger; and

(b) ministers of religion,

may be admitted by the matron at any hour of the day or night.

(2) Subject to any definite instructions given by the medical officer in charge and to Subsection (1), visitors may be admitted by the matron at reasonable hours on any day.

17. Exclusion of visitors.

The matron may, for any sufficient reason—

(a) exclude any visitor; or

(b) cause any visitor to leave the hospital,

but as soon as possible after taking such action she shall report the circumstances in writing to the medical officer in charge.

18. Gratuities, etc.

A visitor shall not offer any gratuity in money or in kind to any officer or servant of the hospital.

19. Gifts of food, etc.

(1) A visitor shall not give to a patient any food, drink, fruit, tobacco, medicine or other similar matter.

(2) A visitor may leave any thing referred to in Subsection (1) with the matron, to be given to a patient subject to the approval of the medical officer in charge.

PART V.—RADIOGRAPHIC EXAMINATIONS.

20. Radiographic examinations.

Patients may be radiographed at a public hospital on application by a medical practitioner or dentist to the person for the time being authorized to operate the apparatus.

PART VI.—MISCELLANEOUS.

21. Books and accounts.

The medical officer in charge—

(a) shall keep such books; and

(b) shall render such accounts,
in such form as the Minister directs.

22. Inspection of books.

The Minister, or an officer appointed by the Minister for the purpose, shall have access to all books, vouchers and documents in charge of the medical officer in charge.

23. Exhibition of rules.

(1) Printed copies of Sections 5 to 15 (inclusive) shall be hung up in each ward of the hospital.

(2) A printed copy of Sections 16 to 19 (inclusive) shall be hung in a conspicuous place near the entrance to the hospital.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 232.

Public Hospitals.

APPENDIXES.

APPENDIX 1.

SOURCE OF THE PUBLIC HOSPITALS ACT.

Part A.—Previous Legislation.

*Public Hospitals Act (Amalgamated) 1973*¹

as amended by—

Statute Law Revision (Transfer of Powers) Act 1976 (No. 25 of 1976).

Part B.—Cross References.

Section, etc., in Revised Edition	Previous Reference ² .	Section, etc., in Revised Edition	Previous Reference ² .
1	3	6	13
2	7, 8	7	14
3	10	8	4, 5
4	11	9	15
5	12		

¹See the *Statute Law Revision (Amalgamation of Laws) Act 1973 (No. 2 of 1974)*.

²Unless otherwise indicated, references are to the Act set out in Part A.

APPENDIX 2.

SOURCE OF THE PUBLIC HOSPITALS REGULATION.

Part A.—Previous Legislation.

Public Hospitals Regulation (Amalgamated) 1973¹.

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ² .	Section, etc., in Revised Edition.	Previous Reference ² .
1	2	13	15
2	4	14	16
3	5	15	17
4	6	16	22
5	7	17	23
6	8	18	24
7	9	19	25
8	10	20	29
9	11	21	26
10	12	22	27
11	13	23	28
12	14		

¹See the *Statute Law Revision (Amalgamation of Laws) Act 1973* (No. 2 of 1974).²Unless otherwise indicated, references are to the regulations set out in Part A.