

# **HOSPITAL AUTHORITY ORDINANCE 1990**

(68 of 1990)

## **HOSPITAL AUTHORITY BYLAWS**

Made by the Hospital Authority under section 21

### **1. Citation**

These bylaws may be cited as the Hospital Authority Bylaws.

### **2. Interpretation**

In these bylaws, unless the context otherwise requires –

“hospital”〔醫院〕 means a public hospital;

“member of the staff”〔院方職員〕 means any member of the staff of a hospital, authorized by the Authority;

“patient”〔病人〕 means any person who is in a hospital and who has been registered as a patient by the hospital, but does not include any patient who has subsequently been discharged by that hospital; and

“public hospital”〔公營醫院〕 includes any area the management and control of which has been vested in the Authority under an agreement referred to in section 5(a) of the Ordinance and any road within a hospital.

### **3. Control of trading**

No person shall, in a hospital, sell or offer or expose for sale or hire any refreshment, commodity or article or offer for reward any amenity, facility or service without the permission in writing of the Authority and in accordance with any conditions imposed by it.

### **4. Control of advertising**

No person shall, in a hospital, exhibit any notice or advertisement without the written permission of the Authority and in accordance with any conditions imposed by it.

### **5. Hospital roads**

(1) The Authority may, without prejudice to its powers under the Road Traffic Ordinance (Cap. 374), erect notices prohibiting the entry of persons or otherwise regulating the use of roads by persons within the hospital.

(2) Any person who contravenes a notice erected in accordance with paragraph (1) commits an offence.

### **6. Refusal of entry into a hospital**

- (1) The Authority may regulate the visiting times for persons visiting patients in a hospital and may refuse entry to a hospital to any visitor outside such times.
- (2) A member of the staff may refuse entry into a hospital to any person (other than a person seeking admission as a patient) who, in his opinion, is –
  - (a) under the influence of drink or drugs;
  - (b) offensively unclean in person or dress;
  - (c) indecently or insufficiently dressed; or
  - (d) likely to cause a nuisance.
- (3) The Authority may close any part of a hospital to the public and no person, unless authorized by the Authority to do so, shall enter such part.

## **7. Prohibition of certain acts**

- (1) No person shall, in a hospital –
  - (a) have in his possession or under his custody or control any animal, bird or fish;
  - (b) smoke or make use of a naked light, other than in any part of a hospital where it is indicated by notice that smoking or the use of a naked light is permitted;
  - (c) use any language likely to cause offence or annoyance to any person;
  - (d) behave in an indecent or disorderly manner;
  - (e) make or cause to be made any noise which is a source of annoyance to the patients in a hospital;
  - (f) take any photograph or film or video picture whereby the likeness of a patient in the hospital is thereby depicted without the consent of such patient; or
  - (g) take any photograph or film or video picture whereby any ward in a hospital is thereby depicted without the consent of a member of the staff whose consent shall not be withheld unless annoyance or disturbance to a patient, or prejudice to medical treatment of a patient, is thereby caused or likely to be caused.
- (2) No person shall, unless authorized by the Authority to do so –
  - (a) handle, disturb or otherwise interfere with any equipment in a hospital;
  - (b) bring or cause to be brought into a hospital (other than upon a road) any vehicle or other form of conveyance; or
  - (c) use in a hospital, any radio apparatus, record player, tape, records, disc, musical instrument or other apparatus which emits sound audible to other persons.
- (3) Any person who causes or suffers or permits any person to cause equipment in a hospital to be a nuisance or damaging or dangerous to health by wilfully destroying or damaging or otherwise interfering with, or by improperly using such equipment or equipment connected therewith, shall be guilty of an offence.

## **8. Eviction from a hospital**

- (1) Any member of the staff may direct any person forthwith to leave a hospital or any part thereof –
  - (a) whom the Authority has power to refuse entry to under these bylaws;
  - (b) whom he has reason to believe has committed or is about to commit any offence punishable under these bylaws;
  - (c) who is found committing any nuisance in the hospital;
  - (d) who is using any part of a hospital for purposes for which it is not intended; or
  - (e) who refuses to obey any reasonable direction given to him by a member of the staff in furtherance of the proper management of the hospital.
- (2) Any person who refuses to leave a hospital or any part thereof when directed to do

so under paragraph (1) commits an offence and may, in addition to any penalty to which he may become liable, forthwith be removed from the hospital or any part thereof at the discretion of a member of the staff.

## **9. Obstruction**

No person shall willfully obstruct any member of the staff in the lawful performance of his duty or willfully obstruct, disturb, interrupt or annoy any other person in the lawful use of the hospital or any of the facilities provided therein.

## **10. Offences and penalties**

Any person who –

- (a) contravenes bylaw 4, 7(1)(a), 7(1)(c), 7(1)(d), 7(1)(e), 7(1)(g) or 7(2)(c) commits an offence and is liable on first conviction to a fine of \$1,000 and on second or subsequent conviction to a fine of \$2,000 and to imprisonment for 1 month;
- (b) contravenes bylaw 3, 7(1)(b), 7(1)(f), 7(2)(a), 7(2)(b) or 9 commits an offence and is liable to a fine of \$2,000 and to imprisonment for 3 months; or
- (c) commits an offence under bylaw 5, 7(3) or 8 is liable to a fine of \$2,000 and to imprisonment for 3 months.