



Western Australia

**Western Australian Ambulance Service  
Bill 2023**

## **Explanatory Memorandum**

Currently, Western Australia relies on a fragmented ambulance system, primarily operated by private entities and volunteer organisations. This decentralised approach can lead to inconsistencies in service provision, resource allocation, and coordination during emergency situations. The lack of a unified approach hampers the ability to provide timely and standardised emergency medical care throughout the state. This bill seeks to address the existing challenges by establishing a state-run ambulance service as the primary emergency medical response provider in Western Australia.

Centralising the provision of emergency medical services under a state-run ambulance service will ensure consistent standards, practices and training across all regions of Western Australia. This will facilitate seamless coordination between emergency response teams and improve the overall quality of care provided to patients.

The proposed legislation emphasises the importance of maintaining a well-equipped and highly trained workforce within the state-run ambulance service. Adequate resources, including modern medical equipment, vehicles and technology, will be provided to ensure paramedics have the necessary tools to deliver effective pre-hospital care. Continuous professional development programs will also be implemented to enhance the skills and knowledge of the workforce.

The bill encourages collaboration between the state-run ambulance service, hospitals, healthcare providers, and other emergency response agencies. By fostering strong partnerships and implementing integrated information systems, the bill aims to improve patient handover processes and facilitate seamless transitions from pre-hospital care to hospital treatment.

The bill includes a fundamental objective of providing free emergency medical services to all Western Australian citizens and other persons outlined. By establishing a state-run ambulance service, the bill ensures that emergency medical care will be accessible and available to all residents, regardless of their ability to pay. This commitment to universal access to emergency services aims to alleviate financial barriers and prioritise the well-being and health of the community.

The establishment of a state-run ambulance service in Western Australia is crucial to address the current challenges and improve emergency medical response across the region. This bill aims to consolidate services, enhance emergency response times, and ensure high-quality care for all residents of Western Australia.



Western Australia

**Western Australian Ambulance Service  
Bill 2023**

**A Bill for an Act to establish a state-run Western Australian Ambulance Service to provide the people of Western Australia with a free and accessible medical emergency service that ensures consistent standards, practices, and training across all regions of Western Australia, committed to saving lives, promoting health, and enhancing the well-being of the community.**

## Part 1 — Preliminary

### 1. Short title

This is the *Western Australian Ambulance Service Act 2023*.

### 2. Commencement

This Act commences on the day on which this Act receives Royal Assent (*assent day*).

### 3. Terms used

In this Act —

*absent from duty* means a period when the Commissioner of the Ambulance Service Board is not empowered to perform the functions associated with the role;

*Administrator* means an optional role of a person appointed by the Board to ensure the Board follows its functions and objectives;

*Ambulance Service, the Service* or *WAAS* means the Western Australian Ambulance Service;

*ambulance services* means services relating to the work of rendering first aid to, and the transport of sick and injured persons;

*Ambulance Board* or *the Board* means the Ambulance Service Board constituted under Part 3

*Commissioner* means the Commissioner of the Board appointed under Part 3;

*commercial exploitation* means engaging in activities that aim to generate financial gain or profit by utilising any research conducted by, or intellectual property rights owned by, the ambulance service in order to help the service accomplish its goals;

**contractor** refers to any individual, organisation or entity that enters into a contractual agreement with the Ambulance Service to perform specific duties or services;

**delegate** means a delegate of the Ambulance Service Board, who is not a director but rather acts as an assistant, as described in Part 3;

**Department of Health** means the Western Australian Government Department of Health;

**director** means a current director of the Ambulance Service Board;

**Director-General** means the Director-General of the Department of Health;

**disclosure** means a disclosure of interest described in Part 3;

**elected staff director** means a director of the Ambulance Service Board elected by the manner prescribed in Part 4 Division 4;

**honest act** means a decision made by the Board or members of the Board, in good faith and in the interest of those involved in the Western Australian public health system;

**joint venture** means an arrangement between the Ambulance Service and two or more independent entities that come together to collaborate on a specific project or undertake a specific business activity;

**Minister** means the Minister for Health of Western Australia;

**patient-centred care** means the actions of the Ambulance Service prioritise the care, safety and comfort of a patient;

**pecuniary** or **personal interest** means an interest in a matter driven by potential financial impact or benefit to an individual or organisation;

**persons** means any person residing in Western Australia;

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*senior officer in attendance* means the most senior officer that is in attendance, for the relevant statutory service, at the scene of the incident;

*Services Australia* means the Commonwealth Government Services Australia;

*statutory service* means any emergency service paid for and provided by the Government; and

*undischarged bankruptcy* means the state of currently being bankrupt.

## **Part 2 — Ambulance Service**

### **4. Functions of the Ambulance Service**

The functions of the Ambulance Service (WAAS) are as follows—

- (a) to provide, conduct, operate and maintain ambulance services;
- (b) to cooperate with or provide assistance to any person or organisation for the purposes of providing, conducting, operating and maintaining ambulance services;
- (c) to protect persons from injury or death;
- (d) to adopt and implement all necessary measures (including systems of planning, management and quality control) as will best ensure the efficient and economical operation and use of its resources in the provision of ambulance services;
- (e) to consult and cooperate with individuals and parties concerned with the provision of ambulance services;
- (f) to coordinate and plan the future development of ambulance services;
- (g) to consult with the Department of Health;
- (h) to support, encourage and facilitate the organisation of community involvement in the planning of those services;
- (i) to set objectives and determine priorities within the scope of its functions and to monitor whether those objectives are achieved;
- (j) to achieve and maintain adequate standards of ambulance services in Western Australia;
- (k) to make available to the public reports, information and advice concerning the operation of ambulance services in Western Australia;

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- (l) to fulfil any other functions as may be prescribed by the regulations or as are conferred or imposed on it by or under this or any other Act, including the *Emergency Management Act 2005*.

**5. Charges and Fees**

- (1) The Ambulance Service may—
  - (a) charge reasonable fees for service rendered if the matter is not deemed an emergency or seen as an abuse of the emergency service;
  - (b) provide services to members or contributors to a health fund under an agreement with the health fund.
  - (c) undertake commercial exploitation of any research undertaken by or intellectual property rights belonging to the Ambulance Service;
  - (d) be a member of, form or participate in the formation of a company, association, trust or partnership, of which the objects or purposes include one or more objects or purposes that are incidental or conducive to the exercise of the powers of the Ambulance Service; and
  - (e) enter into a joint venture with another person or other persons, of which the objects or purposes include one or more objects or purposes that are incidental or conducive to the exercise of the powers of the Ambulance Service.
- (2) The following persons are not liable to pay a charge under this Act for the use of the Ambulance Service -
  - (a) an individual who holds a valid Medicare card;
  - (b) an individual who is aged 18 to 25;
  - (c) an individual who is a full-time student at a tertiary educational institution;
  - (d) an individual who is defined by the Education Services for Overseas Students register;
  - (e) an individual who holds a valid student visa under subclass 500; or
  - (f) an individual receiving benefits or payments from Services Australia.

**6. Power to accept gifts**

- (1) The Ambulance Service may acquire any property by gift, devise or bequest and may agree to and carry out the conditions of any such gift, devise or bequest, for any purpose connected with—
  - (a) the provision of ambulance services; or
  - (b) any of the functions of the Ambulance Service.
- (2) The rule of law against remoteness of vesting does not apply to any such condition to which the Ambulance Service has agreed
- (3) The Ambulance Service may act as a trustee of money or other property vested in the Service on trust.

**7. Authority to Engage Contractors**

- (1) The Ambulance Service, with the approval of the Board, is hereby authorised to engage contractors for the purpose of performing duties and providing services related to the Ambulance Service.
- (2) The engagement of contractors may be necessary in situations including, but not limited to—
  - (a) surge in demand for ambulance services beyond the capacity of the existing workforce;
  - (b) provision of specialised medical services or expertise not readily available within the Ambulance Service;
  - (c) temporary staffing shortages due to leave, training or other operational requirements; and
  - (d) augmentation of resources during major emergencies, disasters or planned events.
- (3) The engagement of contractors shall be subject to the provisions of relevant laws, regulations, and policies governing procurement, employment and contractual obligations.

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**8. Contractor Selection Process**

- (1) The Ambulance Service shall establish a transparent and fair selection process for engaging contractors and ensuring compliance with applicable procurement regulations and guidelines.
- (2) The selection process shall include, but not be limited to, the following considerations—
  - (a) qualifications, experience and competence of the contractor in providing the required services;
  - (b) adherence to relevant quality standards, protocols and guidelines applicable to ambulance services;
  - (c) availability of necessary equipment, resources and facilities required for service provision; and
  - (d) compliance with legal and regulatory requirements, including insurance coverage and occupational health and safety standards.

**9. Contractor Obligations**

- (1) The Ambulance Service shall maintain a register of approved contractors and periodically review their performance to ensure continued compliance with contractual obligations.
- (2) The Ambulance Service shall enter into written agreements with contractors, clearly defining the scope of services, deliverables, performance standards and remuneration terms.
- (3) Contractors engaged by the Ambulance Service shall be subject to the same obligations, standards and accountability as required of Ambulance Service employees.
- (4) The Ambulance Service shall establish mechanisms for ongoing monitoring and evaluation of contractor performance to ensure adherence to contractual obligations and maintain service quality.

**10. Reporting and Accountability**

- (1) The Ambulance Service shall maintain records of all engagements with contractors, including details of services provided, associated costs and any relevant performance indicators.
- (2) The Ambulance Service shall provide regular reports to the appropriate governing body, outlining the utilisation and effectiveness of contractors in supporting the delivery of ambulance services.
- (3) The Ambulance Service shall be accountable for the management and oversight of contractor engagements, ensuring transparency, fairness and compliance with applicable laws and regulations.

**Part 3 — Ambulance Service Board**  
**Division 1 — Creation and Purpose of the Board**

**11. Constitution of the Ambulance Board**

There is to be an Ambulance Service Board.

**12. Purpose of the Ambulance Board**

- (1) The purpose of the Board is to control the affairs of the Ambulance Service.
- (2) Any act, matter or thing done in the name of or on behalf of the Ambulance Service by the Board or with the authority of the Board, is to be taken to have been done by the Ambulance Service.

**13. Appointment of Directors of the Ambulance Service Board**

- (1) Candidates for the position of director will be appointed through an independent interview panel process.
- (2) Through the independent interview process, a minimum of six (6) directors and a maximum of eleven (11) directors may be appointed to the Board.
- (3) There is also to be an elected staff director, as outlined in Division 4.
- (4) The independent interview panel, when appointing new directors, must consider -
  - (a) if a director has relevant experience or insight regarding the practices and functions of the Ambulance Service;
  - (b) if a director is qualified and capable of carrying out the office of director; and
  - (c) whether the Board adequately represents -
    - (i) people of diverse gender backgrounds;
    - (ii) people of diverse ethnic backgrounds;
    - (iii) Aboriginal and Torres Strait Island people;
    - (iv) regional districts.

**15. Functions of the Ambulance Service Board**

The functions of the Ambulance Service Board are—

- (a) to ensure that the objectives of the Ambulance Service are met to the maximum extent that is practicable;
- (b) where applicable, to develop statements of priorities and strategic plans for the operation of the Ambulance Service and to monitor compliance with those statements and plans;
- (c) to develop financial and business plans, strategies and budgets to ensure the accountable and efficient provision of services by the Ambulance Service and the long-term financial viability of the Ambulance Service;
- (d) to establish and maintain effective systems to ensure that the services provided meet the needs of the communities served by the Ambulance Service and that the views of users of the services provided are considered;
- (e) to monitor the performance of the Ambulance Service to ensure that—
  - (i) the Ambulance Service operates within its budget; and
  - (ii) the Ambulance Service adheres to its financial and business plans, strategic plans and statements of priorities;
- (f) address and resolve any problems identified with the quality, safety or effectiveness of the services provided in a timely manner;
- (g) ensure the Ambulance Service provides adequate resources and attention to regional areas; and
- (h) ensure that contractors are operating within the prescribed standards outlined in Part 2.

**Division 2 — Appointment and Functions of the Commissioner**

**16. Appointment of Commissioner**

- (1) The Board, acting on the recommendation of the Minister, is to elect a Commissioner of the Service.
- (2) A candidate is elected to the office of Commissioner shall they obtain a majority of votes from the directors of the Board.
- (3) In the event no candidate obtains a majority, the decision is deferred to the Minister.
- (4) The Commissioner must be a residing member of the Board.

**17. Acting Commissioner**

- (1) The Minister can appoint a person to act in the office of Commissioner during—
  - (a) any vacancy in the office;
  - (b) any period when the Commissioner is absent from duty or cannot, for another reason, perform the functions of the office; or
  - (c) the event no candidate obtains a majority, as per section 16(3).
- (2) In the event a person is appointed as an acting Commissioner, the Minister determines the length of the appointment.

**18. Disqualification from Appointment**

A Commissioner is to be removed from office if they—

- (a) are an undischarged bankrupt or take advantage of the laws in force for the time being relating to bankruptcy;
- (b) have been or are convicted in Western Australia for an indictable offence or have been or are convicted elsewhere in respect of an act or omission that if done or made by that person in Western Australia would have constituted an indictable offence; or
- (c) are not capable of being or continuing to be the Commissioner.

**19. Vacation of office**

The office of the Commissioner becomes vacant if the Commissioner—

- (a) dies;
- (b) becomes incapable of continuing as the Commissioner;
- (c) furnishes their written resignation to the Minister and the Minister returns a written acceptance;
- (d) is removed from office;
- (e) engages in any employment outside the duties of the Commissioner under this Act, without the approval of the Minister; or
- (f) is absent from duty for a period of 14 days without lawful excuse.

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**20. Roles and Functions of Commissioner**

- (1) In accordance with the objectives, strategies and policies defined by the Board, the Commissioner must—
  - (a) manage the Ambulance Service’s operations; and
  - (b) perform the Commissioner’s functions and exercise the Commissioner’s powers under this Act.
- (2) The Commissioner has the following functions—
  - (a) develop policy and plans with respect to the administration and operation of the Ambulance Service;
  - (b) arrange appropriate training for all Ambulance Service employees throughout Western Australia;
  - (c) ensure that safe, patient-centred and effective ambulance services are administered throughout Western Australia; and
  - (d) all other affairs of the Ambulance Service with direction from the Board.

**21. Commissioner Accountability**

- (1) In performing his or her functions, the Commissioner must have regard to—
  - (a) the needs and views of patients and other users of the Ambulance Service and the communities that the ambulance service serves;
  - (b) the need to ensure that the Ambulance Service uses its resources in an effective and efficient manner; and
  - (c) the need to ensure that resources of the Western Australian public health system and emergency response services generally are used effectively and efficiently.
- (2) The Commissioner must report the Minister.

### **Division 3 — Requirements of the Board**

**22. Conditions of membership of the Ambulance Board**

- (1) A member of the Ambulance Board will be appointed for a term not exceeding 4 years, specified in the instrument of appointment and will, at the expiration of a term of appointment, be eligible for reappointment.
- (2) However, the term of office of a retiring member will continue until they are reappointed, or a successor is appointed, unless specified by the Minister.
- (3) The office of a member of the Ambulance Board becomes vacant if the member—
  - (a) dies;
  - (b) completes a term of office and is not reappointed;
  - (c) resigns by written notice to the Minister;
  - (d) ceases to satisfy the qualification by virtue of which the member was eligible for appointment;
  - (e) becomes bankrupt or applies to take the benefit of a law for the relief of insolvent debtors;
  - (f) is convicted of an indictable offence or sentenced to imprisonment for an offence; or
  - (g) is removed from office under subsection (4).
- (4) The Minister may remove a member from office on any ground that the Minister considers sufficient.

**23. Remuneration**

A member of the Ambulance Board is entitled to remuneration, allowances and expenses determined by the Minister.

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**24. Disclosure of interest**

A member of the Ambulance Board who has a direct or indirect pecuniary or personal interest in a matter under consideration by the Board—

- (a) must, as soon as they become aware of the interest, disclose the nature and extent of the interest to the Board; and
- (b) must not take part in deliberations or decisions of the Board on the matter.

**25. Validity of acts of Ambulance Board**

An act or proceeding of the Ambulance Board is not invalid by reason only of a vacancy in its membership or a defect in the election or appointment of a member.

**26. Procedures of Ambulance Board**

- (1) The Ambulance Board must meet at least 10 times each year.
- (2) A quorum of the Ambulance Board consists of 5 members.
- (3) If the Commissioner of the Ambulance Board is absent from a meeting of the Board, a member chosen by the members present at the meeting will preside.
- (4) A decision carried by a majority of the votes cast by the members present at a meeting of the Ambulance Board is a decision of the Board.
- (5) Each member present at a meeting of the Ambulance Board has one vote on a question arising for decision and if the votes are equal, the member presiding at the meeting may exercise a casting vote.
- (6) A conference by telephone or other electronic means between the members of the Ambulance Board will, for the purposes of this rule, be taken to be a meeting of the Board at which the participating members are present if—

- (a) notice of the conference is given to all members in the manner determined by the Board for the purpose; and
  - (b) each participating member is capable of communicating with every other participating member during the conference.
- (7) A proposed resolution of the Ambulance Board becomes a valid decision of the Board despite the fact that it is not voted on at a meeting of the Board if—
  - (a) notice of the proposed resolution is given to all members of the Board in accordance with procedures determined by the Board; and
  - (b) a majority of the members of the Board express concurrence in the proposed resolution by letter, fax, email or other written communication setting out the terms of the resolution.
- (8) Subject to this Act and these rules, the Ambulance Board may determine its own procedures.

**27. Minutes of the Board**

- (1) The Ambulance Board must have accurate minutes kept of its meetings.
- (2) The Ambulance Board must, within 14 days of the holding of a meeting of the Board, provide the Minister with a copy of the minutes of the meeting.

**28. Immunity for Ambulance Board members**

- (1) A member of the Ambulance Board incurs no liability for an honest act or omission in the exercise or discharge, or purported exercise or discharge, by the member of a power, function or duty under the Act or these rules.
- (2) A liability that would, but for subsection (1), lie against a member lies instead against WAAS.

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**29. Committees**

- (1) The Ambulance Board may establish such committees, including advisory or subcommittees, as the Board thinks fit.
- (2) The membership of a committee will be determined by the Ambulance Board and may, but need not, consist of or include members of the Board.
- (3) The procedures to be observed in relation to the conduct of the business of a committee will be—
  - (a) as determined by the Ambulance Board; and
  - (b) if a procedure is not determined under paragraph (a), as determined by the committee.

**30. Appointment of Delegation to the Board**

- (1) The Minister may appoint not more than 2 delegates to the Board of the WAAS if the Minister considers that such an appointment will assist the board to improve the performance of the WAAS.
- (2) A delegate is not a director of the board of the WAAS
- (3) In determining if an appointment of a delegate under subsection (1) will assist the board to improve the performance of the WAAS, the Minister must have regard to—
  - (a) whether the board has requested such an appointment;
  - (b) in the case of the WAAS to which a statement of priorities applies, the need to ensure that the WAAS is meeting or has met the objectives, priorities and key performance outcomes specified in the service's statement of priorities; and
  - (c) in the case of the WAAS to which a statement of priorities does not apply—
    - (i) the financial performance of the WAAS;
    - (ii) the safety and quality of the services provided by the WAAS; and

(iii) whether the WAAS is complying with any funding agreement to which it is a party.

(4) The Minister may appoint a delegate irrespective of whether the board has requested such an appointment.

(5) The instrument of appointment of a delegate—

- (a) must specify the terms and conditions of appointment; and
- (b) may specify any remuneration to which the delegate is entitled.

(6) A delegate—

- (a) holds office for the period specified in the instrument of appointment, being a period of not more than 12 months from the date of appointment;
- (b) is eligible for reappointment; and
- (c) is entitled to be reimbursed reasonable expenses incurred in holding office as delegate.

(7) The functions of a delegate to the Board are—

- (a) to attend meetings of the board and observe its decision-making processes;
- (b) to provide advice or information to the Board to assist it in understanding its obligations under this Act; and
- (c) to advise the Minister on any matter relating to the Ambulance Service or the Board.

### **31. Removal of Directors**

(1) The Minister may by order outlined in this Act—

- (a) recommend to the Board the removal of any or all directors of the board; or
- (b) recommend an independent review process of the Board be undertaken.

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- (2) Upon recommendation of the Minister, a member of the Board may be removed by the action of two-thirds of the directors of the Board.
- (3) The Commissioner ceases to hold office as Commissioner if removed from office as a director of the Board.
- (4) An administrator has, subject to any conditions that may be specified in the order by which the administrator was appointed, all the functions of the Board.
- (5) An administrator of the Ambulance Service is entitled to be paid from the funds of the Service such as remuneration, including travelling and subsistence allowances, as the Minister will determine from time to time in respect to the administrator.
- (6) The regulations may make provision for or with respect to an administrator of the Ambulance Service.

**Division 4 — Appointment of the Elected Director of the Board**

**32. Provisions for the election of the Elected Staff Director**

- (1) Regulations may be made for or with respect to the election of a person to hold office as an elected staff director by the Electoral Commissioner or member of their office responsible.
- (2) The Electoral Commissioner for Western Australia or a person employed in the office of and nominated by the Electoral Commissioner, is to be the returning officer for an election and has the functions conferred or imposed on the them by the regulations made under this section in relation to the election.
- (3) Employees of the WAAS are entitled to vote at an election in accordance with the regulations made under this clause for the elected staff director.
- (4) The elected staff director must, at the same time, be both the elected staff director and an employee of the WAAS.

- (5) In the event an elected staff director ceases to be an employee of the WAAS, they are to be removed from office as an elected staff director of the Board.
- (6) A person may nominate themselves as a candidate for election as an elected staff director unless at the time of their nomination, they are not an employee of the Ambulance Service.
- (7) An elected staff director of the Ambulance Board will be appointed for a term not exceeding 3 years, specified in the instrument of appointment, and will at the expiration of a term of appointment be eligible to nominate for re-election.
- (8) An election is to be held at the expiration of the elected director's appointment.
- (9) The elected director is to remain in office until the appointment of a new elected director.
- (10) An elected staff director is eligible to nominate themselves for re-election regardless of the number of previous terms they have served.
- (11) If a vacancy occurs in the office of elected staff director otherwise than by reason of the expiration of the period for which the elected staff director was appointed—
  - (a) the Minister may appoint a person eligible for election to hold, subject to this section, the office of elected staff director for a term commencing on the date of appointment or a later date specified in the relevant instrument of appointment and ending on the commencement of the term of office of the next elected staff director; and
  - (b) this person is, on being so appointed, to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this section.

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- (12) The Minister may, pending the election of the first elected staff director of the WAAS—
- (a) appoint any person as the elected staff director to hold, subject to this section, the office of elected staff director until the election of that director and the person is, on being so appointed, to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this section; or
  - (b) appoint the other directors of the Board and leave the office of elected staff director vacant pending the election of that director.

**Part 4 — Ambulance Service Staff**  
**Division 1 — Conditions of Employment**

**33. Appointment of Staff**

- (1) The Commissioner may appoint persons as officers and engage persons as wages staff as necessary to enable the WAAS to perform its functions.
- (2) Persons referred to in subsection (1) are to be employed, subject to any relevant industrial award, order or agreement, on the terms and conditions determined by the Commissioner.

**34. Volunteer Ambulance Officers**

- (1) The Commissioner may appoint such persons as they think necessary to be volunteer ambulance officers.
- (2) A volunteer ambulance officer—
  - (a) shall perform, without remuneration, such functions relating to the provision of ambulance services as the Commissioner may from time to time direct; and
  - (b) shall be subject to the control and supervision of the Commissioner.

**35. Conditions of Employment and Promotion**

- (1) The appointment of a person as an employee or the promotion of a permanent employee is to be based on merit and made in accordance with the Commissioner.
- (2) The appointment of a person as an employee is to be—
  - (a) as a permanent employee; or
  - (b) for a specified term or for the duration of a specified task.

## **Division 2 — Requirements and Responsibilities**

### **36. Training Requirements of Officers**

To be appointed, officers require—

- (a) professional registration as a paramedic with the Paramedicine Board of Australia;
- (b) a Degree in Paramedicine from a recognised Australian Health Practitioners Regulation Authority approved programs of study course provider or recognised international education provider;
- (c) a full driver's license with no restrictions;
- (d) current Australian working rights by virtue of—
  - (i) Australian citizenship;
  - (ii) permanent residency;
  - (iii) New Zealand citizenship; or
  - (iv) a valid visa with permission to work;and
- (e) recognised training qualifications in—
  - (i) mental health first aid; and
  - (ii) cultural competency in healthcare.

**37. Responsibility of Officers of Ambulance Services at scene**

- (1) Officer providing ambulance services at an incident are responsible for assessing patients and providing treatment at the scene of the incident and during transportation to any secondary locations.
- (2) Officers can only disclose a patient's health information if -
  - (a) it is for the primary purpose for which the information was collected;
  - (b) it is for another purpose with the patient's consent;
  - (c) it is necessary for the officers to provide emergency treatment and the decision is compliant with other relevant legislation.

**Division 3 — Workplace Culture**

**38. Legal Protections**

- (1) All employees of the Ambulance Service are protected from workplace discrimination, harassment and bullying, outlined in the *Fair Work Act 2009*.
- (2) All employees of the Ambulance Service are protected from unlawful discrimination under the *Australian Human Rights Commission Act 1986*.
- (3) The Health, Safety and Wellbeing of the Ambulance Service workers is protected under the *Work Health and Safety Bill 2019*.

**Part 5 — Offences**  
**Division 1 — Common Offences**

**39. Impersonating the Ambulance Service**

Unless written consent is given by the Commissioner, a person must not—

- (a) use the words “Western Australia Ambulance Service” or any other name, title or description that implies an association with the Ambulance Service, including on vehicles, should they not be owned or operated by the Ambulance Service;
- (b) represent that the person is associated with the WAAS unless such an association exists;
- (c) impersonate or wear any signature that can be identified as operational staff member of Ambulance Service.

**40. False and misleading report to the Ambulance Service**

- (1) A person must not wilfully give a false report of an emergency to a WAAS staff member.
- (2) A person who requests the Ambulance Service to provide ambulance services knowing that no ambulance service is required by any person is guilty of an offence.
- (3) A person must not wilfully repetitively call to request the Ambulance Service when is no existing medical emergency.
- (4) A person must not wilfully give misleading information to Ambulance Service including relationship to a patient of the Ambulance Service.

**41. Obstruct the Ambulance Service**

- (1) A person must not wilfully obstruct or hinder any person acting under the authority of the Ambulance Service.
- (2) A person must not wilfully interfere with treatment of patient being treated by the Ambulance Service.

**42. Requirement to give way**

A driver of a road vehicle, to the extent practicable, is to give clear and uninterrupted passage to any Ambulance Service vehicle with warning devices sounding or warning lights activated.

**Division 2 — Police powers**

**43. Police powers when requested by Ambulance Service staff**

On request of staff of the Ambulance Service who are either providing or attempting to provide care to a patient, a police officer is authorised to remove any person who interferes or may interfere, by that person's presence or otherwise, with the provision of care or treatment.



YOUTH GOVERNOR OF  
WESTERN AUSTRALIA

**DECLARATION OF ROYAL ASSENT**

IN THE NAME OF HIS MAJESTY, I assent to this Act.

A handwritten signature in dark teal ink, appearing to read 'ZPB7' with a flourish underneath.

**His Excellency, Hon. Doug Jackson**  
Youth Governor of Western Australia  
16 October 2023