

HOSPITALS AND MEDICAL SERVICES ORDINANCE 1962.

No. 3 of 1963.

An Ordinance to amend the *Hospitals and Medical Services Ordinance 1953-1957*.

[Assented to 23rd January, 1963.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1961*, as follows:—

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Hospitals and Medical Services Ordinance 1962*.

(2.) The *Hospitals and Medical Services Ordinance 1953-1957* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Hospitals and Medical Services Ordinance 1953-1962*.

Definitions.

2. Section four of the Principal Ordinance is amended—

(a) by omitting the definition of “Director-General”;

(b) by omitting paragraph (e) of the definition of “medical services” and inserting in its stead the following paragraph:—

“ (e) the provision of—

(i) drugs and dressings specified, from time to time, in the *British Pharmacopoeia*;

(ii) drugs and medicinal preparations in relation to which Part VII. of the *National Health Act 1953-1961* applies; and

(iii) such other drugs, medicinal preparations and dressings as the Minister approves;”;

(c) by omitting paragraph (f) of the definition of “medical services”;

(d) by inserting after the definition of “the Chief Medical Officer” the following definition:—

“ ‘the Director-General’ means the Director-General of Health of the Commonwealth;” and

(e) by omitting from the definition of “the Minister” the word “health” and inserting in its stead the word “Health”.

3. After section five of the Principal Ordinance the following section is inserted:—

“ 5A.—(1.) The Director-General may make such provision as he considers necessary for the transport, whether by ambulance or otherwise—

Provision of ambulance services and transport for persons requiring medical services.

(a) of a person for whom the provision of a medical service is necessary; and

(b) of a person for whom a medical service has been provided.

“ (2.) The charges for the provision of transport by ambulance shall be as prescribed.

“ (3.) Where the Director-General is of the opinion, after report by the Chief Medical Officer or another medical practitioner employed by the Commonwealth, that it is necessary that a medical service be provided outside the Territory for a person, the Director-General may, on application being made by or on behalf of that person and subject to this section, authorize—

(a) the transport of that person at the cost of the Commonwealth from a specified place in the Territory to a specified place outside the Territory for the purpose of being provided with that medical service; and

(b) the return transport of that person at the cost of the Commonwealth after the medical service has been provided.

“ (4.) Where the Director-General is of the opinion that it is also necessary that a person whose transport has been authorized under the last preceding sub-section be under the care of another person whilst travelling, the Director-General may, subject to the next succeeding sub-section, authorize the transport, including the return transport, of that other person (in this section referred to as ‘an attendant’) at the cost of the Commonwealth.

“(5.) The Director-General shall not authorize the transport at the cost of the Commonwealth of a person under sub-section (3.) of this section or of an attendant under the last preceding sub-section unless payment has been made to the Commonwealth in respect of the transport of the person or the attendant, as the case may be, of such charge as is prescribed for the purposes of this sub-section or unless the person or the attendant, as the case may be, or another person has agreed to pay to the Commonwealth the amount of the charge so prescribed.

“(6.) An application for the authority of the Director-General under this section shall be made to the Chief Medical Officer who may require the person in respect of whom the application is made to be medically examined by the Chief Medical Officer or by another medical practitioner employed by the Commonwealth.

“(7.) The Director-General shall be deemed to have had the authority conferred by this section on and from the first day of April, One thousand nine hundred and sixty-two, and any authority exercised by the Director-General in the period that commenced on that date and ended on the day immediately preceding the commencement of this section shall be deemed to have been as valid and effectual as if this section and the regulations made for the purposes of this section had come into operation on the first day of April, One thousand nine hundred and sixty-two.”.

Minister may
prescribe
charges.

4. Section six of the Principal Ordinance is amended by omitting sub-section (2.) and inserting in its stead the following sub-sections:—

“(2.) Subject to the next succeeding sub-section, the charge for a medical service that is a professional service specified in a Schedule to the *National Health Act* 1953-1961 shall not exceed two and two-ninths times the amount specified as the Commonwealth benefit payable in relation to that professional service in the Schedule in which the professional service is specified.

“(3.) Where the maximum amount chargeable for a medical service in accordance with the last preceding sub-section is an amount expressed in pounds, shillings and pence or shillings and pence—

- (a) if the pence are less than six—the amount shall be deemed to be increased by treating the amount of the pence as six; and
- (b) if the pence exceed six—the amount shall be deemed to be increased by treating the amount of the pence as a shilling.”.

5. Section seven of the Principal Ordinance is repealed and the following section inserted in its stead:—

“7. A charge payable under this Ordinance, other than a charge payable by—

Charges recoverable as debt except in certain cases.

- (a) a person, or the dependant of a person, who is receiving a pension under the *Social Services Act* 1947-1962;
- (b) a person, or the dependant of a person, who is receiving an allowance under the *Tuberculosis Act* 1948, or a person who is suspected to be suffering from tuberculosis;
- (c) a person, or the dependant of a person, who is a ward within the meaning of the *Welfare Ordinance* 1953-1961;
- (d) a person who is suffering or who is suspected to be suffering from an infectious disease within the meaning of the Public Health (Infectious and Notifiable Diseases) Regulations made under the *Public Health Ordinance* 1952-1961; or
- (e) a person who is in necessitous circumstances,

is recoverable as a debt due to the Commonwealth.

6. Section eight of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-sections:—

Liability for charges.

“ (1.) Subject to this section, a charge payable under this Ordinance for a medical service is payable by the person who receives the medical service.

“ (1A.) Where the charge prescribed for the purposes of sub-section (5.) of section five A of this Ordinance has not been paid, the charge is payable by the person who has been transported under that section or by another person who has agreed to pay the charge.”
