

# HOSPITALS AND MEDICAL SERVICES ORDINANCE 1975

589

No. 16 of 1975

An Ordinance to amend the  
*Hospitals and Medical Services Ordinance 1953* as amended

[Assented to 27 June 1975]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Hospitals and Medical Services Ordinance 1975*. Short title

2. The *Hospitals and Medical Services Ordinance 1953* as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3. This Ordinance shall come into operation on the first day of July 1975. Commencement

4. Section 4 of the Principal Ordinance is amended by adding at the end of the definition of "charge" the words ", and includes an amount payable under section 5A (5);". Definitions

5.(1) Section 5A.(2) of the Principal Ordinance is amended by omitting "by ambulance".

(2) Section 5A.(3) of the Principal Ordinance is amended by omitting "on application being made by or on behalf of that person and". Transport for persons requiring medical services

(3) Section 5A. of the Principal Ordinance is amended by omitting sub-section (5) and substituting the following sub-section:

"(5) Where the transport of a person or of a person and an attendant at the cost of the Commonwealth authorized under this section is carried out as so authorized, that person or, if that person is a dependant, the person upon whom he is dependent is liable—

(a) if he is entitled to recover an amount not less than the cost of the transport under a contract of insurance or another law in force in the Northern Territory—to reimburse to the

*Hospitals and Medical Services*

Commonwealth an amount equal to the cost of the transport; or

- (b) if he is not so entitled to recover or is entitled so to recover an amount that is less than that cost—to pay the charge prescribed for the purposes of this sub-section or an amount equal to the amount entitled to be so recovered, whichever is the greater.”

(4) Section 5A. of the Principal Ordinance is amended by omitting from sub-section (6) “An application for the authority of the Director-General under this section shall be made to the Chief Medical Officer who” and substituting “For the purposes of making his report under sub-section (3), the Chief Medical Officer”.

(5) Section 5A. of the Principal Ordinance is amended by omitting sub-section (7) and substituting the following sub-sections:

“(7) The amount that a person is liable to pay under sub-section (5) is recoverable as a debt due to the Commonwealth.

“(8) Where the transport of a person or of a person and an attendant is authorized under this section, and the medical service for which the transport is authorized is a service for which the consent of the person or of a person authorized in law to give such a consent has been given, or is an operation that may be performed as provided by the *Emergency Medical Operations Ordinance*, the transport so authorized shall be deemed to be part of the medical service.”.

6. Section 6 of the Principal Ordinance is repealed and the following sections substituted:

“6.(1) The Chief Medical Officer may classify a hospital bed as an intermediate bed.

“(2) A hospital bed that is not classified as an intermediate bed is a standard bed.

“6A.(1) Subject to this Ordinance, accommodation, maintenance and treatment in a standard bed in a hospital is free.

“(2) The regulations may prescribe a charge for accommodation and maintenance in an intermediate bed in a hospital.

“(3) Where a person who is not a maternity patient is accommodated in a standard bed in a hospital and that person elects to be a private patient of a medical practitioner, the charge for his accommodation and maintenance in the hospital is the amount that would be the charge if he was accommodated in an intermediate bed.

“(4) Notwithstanding anything elsewhere contained in this Ordinance or the Regulations, where a person has received treatment as an

Classification  
of hospital  
beds

Charges for  
hospitalization

in-patient in a hospital and that person has, or is a dependant of a person who has an enforceable claim for recovery, by way of compensation or damages, of an amount in respect of the patient's accommodation and maintenance in the hospital, the person who has the claim is liable to pay—

(a) the amount that is equal to the product of the amount prescribed as the daily cost of accommodation and maintenance of an in-patient in that hospital and the number of days that the patient spent as an in-patient in that hospital; or

(b) the amount that he is entitled to recover,

whichever is the less, and the amount that he is liable to pay is recoverable from him as a debt due to the Commonwealth.

“6B. Where a person who is normally resident in the Northern Territory, not being a person who is a patient in a Northern Territory hospital, is hospitalized in a State or another Territory of Australia and does not elect to be a private patient of a medical practitioner, the Chief Medical Officer may, if he is satisfied that the person did not travel to that State or Territory for the purpose of entering the hospital, pay, or reimburse the person for the payment of part or all of the expenses incurred by that person for accommodation, maintenance and treatment in that hospital.”

7.(1) Section 7 of the Principal Ordinance is amended by inserting after “A charge” (first occurring) the words “for a medical service, not being accommodation and maintenance in a hospital,”

Charges recoverable as debt except in certain cases

(2) Section 7 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

“(2) A charge payable under this Ordinance for accommodation and maintenance in a hospital is recoverable as a debt due to the Commonwealth.”

8. Section 12 of the Principal Ordinance is amended by adding at the end the following sub-section:

Hospitals

“(3) Where premises that are declared, or are to be deemed, to be a hospital under this section are, or have been, altered or extended, the premises as so altered or extended shall be deemed to have been and continue to be the hospital.”

