



AMBULANCE

No. 88 of 1977

ANALYSIS

1. Short title and citation.
2. Interpretation.
3. Abolition of Ambulance Commission and transfer of functions to Interim Authority.
4. Establishment of Interim Ambulance Authority.
5. Constitution of ambulance boards.
6. Expiry of Act.

AN ACT to provide for the abolition of the Ambulance Commission of Tasmania and the exercise of its functions by an Interim Ambulance Authority and to provide for the election of employee representatives as members of ambulance boards.

[17 November 1977]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Ambulance Act 1977*.

Short title and citation.

(2) The *Ambulance Act 1959**, as subsequently amended, is in this Act referred to as the Principal Act.

* No. 20 of 1959. Printed in Reprint of Statutes (1826-1959), Vol. 1, p. 103. Amended by No. 41 of 1960, Nos. 1, 55, and 68 of 1962, No. 64 of 1963, No. 55 of 1965, No. 18 of 1968, No. 33 of 1971, No. 23 of 1972, and No. 87 of 1975.

Interpretation.

2 In this Act unless the contrary intention appears—

“ Authority ” means the Interim Ambulance Authority established under this Act;

“ transfer day ” means such day as the Governor by order declares to be the transfer day for the purposes of this Act, and other expressions have the same meanings as they have for the purposes of the Principal Act.

Abolition of Ambulance Commission and transfer of functions to Interim Authority.

3—(1) On the transfer day, the Ambulance Commission of Tasmania is abolished and all its functions are transferred to, and are thereafter exercisable by, the Interim Ambulance Authority established under this Act; and references to the Commission in the Principal Act and any other Act shall be construed accordingly.

(2) Subject to this section, all estates or interests in land or other property and all rights, obligations, and liabilities of the Commission that are subsisting immediately before the appointed day are, on that day, by virtue of this section, transferred to and vested in the Authority.

(3) The officers of the Commission continue in office after the transfer day as the like officers of the Authority and on the like terms and conditions as they held office immediately before that day.

(4) The provisions of the regulations made for the purposes of section 42 of the Principal Act (which relates to the provision of superannuation and other benefits for ambulance officers) that are in force at the transfer day continue to have effect in relation to the Authority as they had effect in relation to the Commission.

(5) Except as otherwise provided in this Act, nothing in this Act prejudices or affects the operation of anything done by, or any proceedings taken by or in relation to, the Commission before the transfer day.

Establishment of Interim Ambulance Authority.

4—(1) There shall be established an Interim Ambulance Authority which shall consist of—

- (a) the Director of Hospital and Medical Services in the Department of Health Services;
- (b) such one of the Commissioners appointed under Part II of the *Public Service Act* 1973 as may for the time being be nominated by the Governor;

- (c) the Director of Emergency Services;
- (d) a person appointed by the Governor to represent the employees of the boards; and
- (e) a person appointed by the Governor on the recommendation of the Municipal Association of Tasmania.

(2) The Authority shall be a body corporate with perpetual succession and a common seal.

(3) If the office referred to in paragraph (a) of subsection (1) is abolished that paragraph has effect as if for the reference therein to that office there were substituted a reference to such office in the Public Service, being an office held by a legally-qualified medical practitioner, as the Governor may, by order, declare to be the substituted office for the purposes of that paragraph.

(4) The member of the Authority appointed under paragraph (d) of subsection (1) holds office at the Governor's pleasure, and *Arthur George Edsall*, of Deloraine in this State, shall be deemed to have been appointed on the passing of this Act as a member of the Authority under that paragraph.

(5) The chairman of the Authority shall be the member thereof holding office by virtue of paragraph (a) of subsection (1).

(6) Section 5 of the Principal Act (which relates to the remuneration of members) applies to members of the Authority, but no payment shall be made under that section without the approval of the Public Service Board to a person who is a member of the Authority by virtue of paragraph (a), paragraph (b), or paragraph (c) of subsection (1).

(7) Section 7 of the Principal Act (which provides for the delegation of functions to members and officers) has effect as if the references therein to the members or officers of the Commission were references to the members or officers of the Authority.

(8) The Authority shall be deemed to be an ambulance authority within the meaning of the Principal Act except that section 43 of that Act does not apply to membership of the Authority.

(9) Three members of the Authority constitute a quorum at any meeting of the Authority.

Constitution of
ambulance
boards.

5—(1) Section 16 of the Principal Act is amended—

(a) by inserting after subsection (2B) the following subsections:—

“(2C) In addition to the members of a board appointed pursuant to the foregoing provisions of this section there shall be an additional member of the board who shall be an employee of the board elected, as prescribed, by the employees of the board.

“(2D) A person who is a member of a board under subsection (2C) ceases to hold office on his ceasing to be an employee of the board.”; and

(b) by inserting in subsection (4) after the words “ subsection (2B)” the words “ or subsection (2C)”.

(2) This section shall commence on such day as the Governor may by order appoint.

Expiry of Act.

6 This Act expires on the thirty-first day of December 1978.