

HOSPITALS.

No. 48 of 1949.

AN ACT to amend the *Hospitals Act* 1918.
[29 November, 1949.]

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:—

Short title, citation, and commencement.

1—(1) This Act may be cited as the *Hospitals Act* 1949.

(2) The *Hospitals Act* 1918*, as subsequently amended, is in this Act referred to as the Principal Act

(3) Sections six, seven, nine, ten, and eleven of this Act shall commence on the date on which the Governor gives his assent to this Act, and the remaining sections of this Act shall commence on the first day of July, 1950.

2 Sections eleven to fourteen of the Principal Act are repealed and the following sections are substituted therefor:—

Constitution and incorporation of public hospital boards.

“11.—(1) For every public hospitals district there shall be a board constituted as provided by this section.

(2) Every such board shall consist of seven members, of whom—

I. Five shall be persons appointed by the Governor, and of the persons so appointed—

(a) One shall be appointed as the chairman of the board:

(b) One shall be appointed as the vice-chairman of the board:

(c) One shall be a woman: and

(d) In the case of the boards for the Hobart and Launceston districts, respectively—

(i) one shall be a registered medical practitioner residing and practising in the relevant public hospitals district nominated, as prescribed, by the registered medical practitioners residing and practising in that district: and

* 9 Geo. V. No. 70. For this Act, as amended to 1936, see Reprint of Statutes, Vol. IV., p. 417. Subsequently amended by 5 Geo. VI. No. 49, 6 Geo. VI. No. 6, 7 Geo. VI. No. 45, 7 & 8 Geo. VI. No. 71, 9 Geo. VI. No. 29, 9 & 10 Geo. VI. No. 43, 10 Geo. VI. No. 51, and 11 Geo. VI. No. 50. See also 9 & 10 Geo. VI. No. 33.

(ii) one shall be a member of a registered friendly society nominated, as prescribed, in the case of the Hobart district, by the Southern Tasmanian Friendly Societies' Association, and, in the case of the Launceston district, by the Northern Tasmanian Friendly Societies' Association:

II. One shall be a person elected by the component local authority or local authorities: and

III. One shall be a woman elected as prescribed by the women's auxiliary organisation or, as the case may be, elected jointly, as prescribed, by the several women's auxiliary organisations formed in connection with the public hospital or public hospitals with the management, maintenance, and regulation of which the board is charged.

(3) Every such board shall be a body corporate by the name of 'the [*name of district*] Public Hospitals Board', with perpetual succession and a common seal and shall be capable of suing and being sued by its corporate name and, subject to this Act, of purchasing, holding, and alienating real and personal property, and of doing and suffering all such acts and things as bodies corporate may by law do and suffer.

(4) The chairman, or, in his absence, the vice-chairman, shall be the executive officer of the board.

" 12. Subject to this Act, every member of a board shall hold office for a term of two years from the date on which the notification of his appointment or election is published in the *Gazette* pursuant to section fourteen.

Tenure of office of members.

" 13.—(1) Five members shall constitute a quorum for the transaction of the business of any meeting of a board.

Quorum.

(2) A board may function, notwithstanding any vacancy in its membership, so long as a quorum remains.

" 14. As soon as practicable after the appointment of any member of a board, the Minister shall cause a notification of such appointment to be published in the *Gazette*.

Gazetted of appointment.

3 Section fifteen of the Principal Act is amended by omitting from subsection (1) the word "members" and substituting therefor the word "member".

Method of appointing representatives of local authority entitled to separate representation.

4 Section sixteen of the Principal Act is amended by omitting from subsection (1) the words "more than two" and substituting therefor the words "two or more".

Method of election in other cases.

5 Section eighteen of the Principal Act is repealed.

Tenure of office of member.

6 Section twenty-three A of the Principal Act is amended by omitting therefrom the words "thirty shillings" and substituting therefor the words "two guineas".

Power of boards in certain cases to reimburse members for loss of salary. &c.

Disqualifica-
tion of repre-
sentatives.

7 Section twenty-four of the Principal Act is amended by adding at the end thereof the following proviso:—

“ Provided further that nothing contained in this section shall be construed as constituting a disqualification of any medical practitioner who holds any office under or in the gift of the board or is engaged or employed by the board to render any professional services to persons admitted to or attending for treatment at any public hospital under the management or control of the board, if such medical practitioner holds such office or is so engaged or employed either in a part-time capacity only (whether or not he receives, or is entitled to receive, from the board, any remuneration for his services) or in an honorary capacity.”.

Election of
chairman
and vice-
chairman.

Board may
appoint
officers and
servants.

8 Section twenty-six of the Principal Act is repealed.

9 Section thirty-two of the Principal Act is amended—

- (a) by omitting the word “surgeon-superintendent” and substituting therefor the words “general superintendent”; and
- (b) by omitting the words “a house-surgeon”.

Pending
investment
moneys to be
paid into
bank.

10 Section thirty-nine of the Principal Act is amended—

- (a) by omitting the word “and” (second occurring) and substituting therefor the word “or”; and
- (b) by adding at the end thereof the following subsection:—

“(2) A board may, with the prior approval of the Minister, out of the moneys of the Board, make to its secretary an advance of such amount as the Minister may approve for the purpose of defraying urgent expenditure of such kinds as the Minister, on the recommendation of the Board, may, after consultation with the Auditor-General, approve.”.

Expenditure
by board of
moneys under
its control.

11 Section forty-nine of the Principal Act is amended by omitting from paragraph VIII. of subsection (1) the words “twenty” and “ten”, and substituting therefor respectively the words “fifty” and “twenty”.

Transitory
provisions.

12—(1) On the commencement of this section, every hospitals board (in this section referred to as “the former board”) constituted under the Principal Act in respect of any hospitals district and in existence thereunder immediately prior to such commencement shall be dissolved, and thereupon all the powers, duties, authorities, and liabilities of, and all the real and personal property belonging or appertaining to, the former board shall vest in and devolve upon the board constituted in respect of that hospitals district under the Principal Act, as amended by this Act (in this section referred to as “the new board”).

(2) Subject to the Principal Act, as amended by this Act, the provisions of sections twenty-seven and twenty-eight of the Principal Act, so far as they are applicable, shall apply

to and in respect of the dissolution of the former board in accordance with this section and the vesting in and devolution upon the new board of the powers, duties, authorities, liabilities, and real and personal property of the former board, in the same manner and to the same extent as upon the first constitution of a hospitals board under that Act.

NEW NORFOLK WATER SUPPLY.

No. 49 of 1949.

AN ACT to authorise the Council of the Municipality of New Norfolk to make and levy a Water Rate for the supply of water to the District of Magra.

[29 November, 1949.]

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 *New Norfolk Water Supply Act 1949*. Short title and incorporation.

(2) This Act shall be incorporated and read as one with the *Local Government Act 1906** in this Act referred to as the Principal Act.

2—(1) For the purpose of defraying the cost and the interest on the cost of any works or appliances (in this section referred to as “the waterworks”) constructed or maintained for the storage and distribution of water in any part of the Magra Water District (in this Act referred to as “the water district”) the Council of the Municipality of New Norfolk (in this Act referred to as “the Council”) may make and levy a water rate— Power of Council to make and levy a water rate.

(a) upon all ratable property within the water district;

(b) upon such ratable property within the water district as is connected with the waterworks, at such rate per dwelling-house or vacant piece of land as the Council may determine; or

* 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 15. Subsequently amended by 2 Geo. VI. Nos. 8 and 33, 4 Geo. VI. No. 46, 5 Geo. VI. Nos. 20 and 42, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, 9 Geo. VI. No. 12, and 11 Geo. VI. Nos. 5 and 61.