

“(4) Any arrangements made under this section with respect to a public institution have effect and may be carried out notwithstanding the provisions of any Act regulating the management or carrying on of the institution, and any such Act has effect subject to this section.

“(5) In this section, ‘public institution’ means an institution established, provided, or managed by the Governor, a Minister, or an authority constituted by or under an Act, and, in relation to such an institution, the appropriate Minister is the Minister having responsibility for the administration of the institution or the Act under which it is managed or carried on.”.

5 Section nine of the Principal Act is amended—

(a) by inserting in subsection (2), after the numerals “1938”, the words “, or, where appropriate, the *Retirement Benefits Act 1970*,”; and

(b) by omitting from subsection (3) the words “the *Superannuation Act 1938* does not apply” and substituting therefor the words “neither the *Superannuation Act 1938* nor the *Retirement Benefits Act 1970* applies”.

Officers of the
advanced
education
service.

6 Section eleven of the Principal Act is amended by inserting after the word “grant” the word “degrees,”.

7 Section nineteen of the Principal Act is amended by inserting in paragraph (f) of subsection (1), after the word “of”, the word “degrees,”.

Regulations.

QUEEN VICTORIA HOSPITAL.

No. 37 of 1971.

AN ACT to amend the *Queen Victoria Maternity Hospital Act 1952*. [24 August 1971.]

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 *Queen Victoria Hospital Act 1971*. Short title and citation.

(2) The *Queen Victoria Maternity Hospital Act 1952*, as subsequently amended, is in this Act referred to as the Principal Act.

Title.

2 The title of the Principal Act is amended by omitting therefrom the words "*better provision for giving effect to its objects*" and substituting therefor the words "*provision for the treatment and nursing, at the Queen Victoria Hospital, of mothers and their babies, and women with gynaecological and other specified conditions*".

Short title and commencement.

3 Section one of the Principal Act is amended by omitting from subsection (1) thereof the word "*Maternity*".

Part II.

4 The heading to Part II of the Principal Act is amended by omitting therefrom the word "**MATERNITY**".

5 Section four of the Principal Act is repealed and the following section is substituted therefor:—

Continuation of the Hospital.

"4—(1) The Hospital shall continue as an institution for the care and nursing of—

- (a) mothers (including expectant mothers) and their babies;
- (b) women with gynaecological conditions; and
- (c) with the written approval of the Minister or of the Board, either generally or in any particular case, women with such other conditions as may be specified therein for that purpose.

"(2) An approval under paragraph (c) of subsection (1) of this section—

- (a) shall be directed to the Director-General of Health Services; and
- (b) shall specify the conditions to which it relates."

Management of the Hospital by incorporated Board.

6 Section five of the Principal Act is amended by omitting therefrom the word "*Maternity*".

Admission to Hospital.

7 Section fifteen of the Principal Act is amended by omitting from subsection (1) thereof all the words following the word "*therein,*" and substituting therefor the following words and paragraphs:—

" all—

- (a) maternity cases;
- (b) gynaecology cases; and
- (c) such other cases as may be approved by the Minister or by the Board under section four,

for which admission thereto is requested, without discrimination in respect of social position or otherwise."

Liability for maintenance.

8 Section sixteen of the Principal Act is amended—

- (a) by inserting in subsection (1) thereof, after the word "*woman*", the words "*being, or having been a maternity case,*";
- (b) by omitting from that subsection the words "*shall be liable on demand to pay forthwith*" and substituting therefor the words "*is liable to pay*"; and

(c) by omitting subsection (2) of that section and substituting therefor the following subsections:—

“(2) The payment referred to in subsection (1) of this section, without excluding the liability of the mother, also constitutes a debt due to the Board by the husband of the mother (if the mother is married and is not separated from her husband) or the father of her child, and may be recovered by action in any court of competent jurisdiction.

“(3) Every woman who, having been admitted to the Hospital under paragraph (b) or paragraph (c) of subsection (1) of section fifteen, has been maintained or nursed as an inmate of the Hospital or, having been such a case, has received from the Board any relief, aid, or medical or surgical attendance or medicine is liable to pay to the Board all sums of money as may be reasonably demanded of her for and in respect of that maintenance, nursing, relief, aid, attendance, or medicine.

“(4) Where a woman who, having been a patient of a category referred to in subsection (3) of this section, is a married woman who is not separated from her husband, or a minor, the payment referred to in that subsection, without excluding the liability of the patient, constitutes a debt due to the Board by the husband of the married woman or each parent of the minor, as the case may be, and may be recovered by action in any court of competent jurisdiction.”.

9 Section eighteen of the Principal Act is amended by inserting, in subsection (1), after the word “place,” the words “or by any patient or other person under subsection (3) or subsection (4) of section sixteen,”. Appointment of person to demand, &c., payment.

10 Section twenty-one of the Principal Act is repealed and the following section is substituted therefor:—

“21 On the trial of any action for the recovery from—

(a) any husband, or father, liable under subsection (2) of section sixteen; or

(b) any husband, or parent, liable under subsection (4) of that section,

the onus of proving that the person sued is not the husband, father, or parent, as the case may be, shall be with the defendant.”

Proof of relationship.

11 Section twenty-two of the Principal Act is amended—

(a) by inserting, in paragraph (e) of subsection (1) thereof, after the word “mothers” the words “and patients”; and

Regulations.

(b) by inserting, after subsection (1) thereof, the following subsection:—

“(1A) For the purposes of paragraph (e) of subsection (1) of this section, the regulations may—

- (a) prescribe the fees and charges to be paid by any prescribed category of mother or patient;
- (b) prescribe different rates of fees and charges in respect of different categories of mothers or patients; and
- (c) exclude, either wholly or partly, any prescribed category of mother, patient, or other person from liability to pay any prescribed fees or charges under this Act.”.

KING ISLAND MARINE BOARD LOAN.

No. 38 of 1971.

AN ACT to authorize the Marine Board of King Island to borrow money for the purpose of meeting the cost of the construction and carrying out of certain works and for purposes connected therewith, to authorize the Governor to guarantee the repayment of the moneys so borrowed and the payment of the interest payable thereon, and to make provision for matters incidental thereto.
[24 August 1971.]

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 and
incorporation.

1—(1) This Act may be cited as the *King Island Marine Board Loan Act 1971*.

(2) This Act is incorporated, and shall be read as one, with the *Marine Act 1921* (in this Act referred to as the *Principal Act*).