



QUEEN VICTORIA HOSPITAL ACT (REPEAL) ACT 1987

—
No. 18 of 1987
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SCHEDULE 1

CONSEQUENTIAL AMENDMENT OF HOSPITALS ACT 1918



AN ACT to repeal the Queen Victoria Hospital Act 1952, to amend the Hospitals Act 1918, and to otherwise provide for matters consequential on the dissolution of the Queen Victoria Hospital Board of Management and the transfer of control of the Queen Victoria Hospital to the Launceston Public Hospitals District Board.

[Royal Assent 29 April 1987]

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—This Act may be cited as the *Queen Victoria Hospital Act* Short title. *(Repeal) Act 1987.*

Commence-
ment.

2—This Act shall commence on the day on which it receives the Royal assent.

Interpretation.

3—In this Act, unless the contrary intention appears—

“ District Board ” means the Board of the Launceston Public Hospitals District constituted under section 9 of the *Hospitals Act 1918*;

“ Hospital ” means the Queen Victoria Hospital;

“ Hospital Board ” means the Board of Management of the Queen Victoria Hospital created by section 5 of the Principal Act;

“ instrument ” means a document, other than an Act, that creates, evidences, modifies, or extinguishes rights or obligations;

“ legal proceedings ” includes an arbitration;

“ obligations ” includes duties and liabilities;

“ Principal Act ” means the *Queen Victoria Hospital Act 1952*;

“ relevant day ” means the day referred to in section 4;

“ rights ” includes powers and privileges.

Fixing of the
relevant day.

4—If—

(a) in accordance with section 9 (3) of the *Hospitals Act 1918*, the Hospital Board consents to the declaration of the Hospital to be a public hospital under and subject to Part II of the *Hospitals Act 1918*, within the Launceston Public Hospitals District; and

(b) the Governor, in consequence of that consent, declares by order-in-council the Hospital to be such a public hospital under and subject to Part II of the *Hospitals Act 1918*,

then the day on which the order-in-council takes effect shall, for the purposes of this Act, be the “ relevant day ”.

Dissolution of
the Hospital
Board, &c.

5—(1) On the relevant day—

(a) the Medical Advisory Committee constituted in accordance with regulations made under the Principal Act is dissolved;

- (b) the Staff Advisory Committee constituted under section 8B of the Principal Act is dissolved;
- (c) the Queen Victoria Maternity Hospital Association created in Part III of the Principal Act is dissolved;
- (d) the Principal Act, the *Queen Victoria Maternity Hospital Act 1967*, the *Queen Victoria Hospital Act 1979*, the *Queen Victoria Hospital Amendment Act 1982*, and the *Queen Victoria Hospital Amendment Act 1984* are repealed; and
- (e) the *Hospitals Act 1918* is amended in the manner specified in Schedule 1.

(2) On and after the relevant day, unless the contrary intention appears, where in an instrument that was in force immediately before that day there is a reference to the Queen Victoria Hospital Board, that instrument shall continue in force as if that reference were a reference to the Launceston Public Hospitals District Board.

6—Without limiting the effect of section 5, the following provisions have effect on and from the relevant day:—

- (a) legal proceedings instituted by or against the Hospital Board before and pending at the relevant day may be continued by or, as the case may be, against the District Board;
- (b) legal proceedings by or against the Hospital Board to enforce a right that had accrued before the relevant day may be commenced by or, as the case may be, against the District Board;
- (c) a judgment or order of a court obtained by or against the Hospital Board may be enforced by or, as the case may be, against the District Board;
- (d) a document addressed to and purporting to be served on the Hospital Board shall be deemed to be served on the District Board.

Supplementary provisions with respect to legal proceedings, documents, &c.

7—(1) The account opened with a bank by the Hospital Board pursuant to section 14 of the Principal Act shall, on the relevant day, be deemed to be an account established by the District Board for the purposes referred to in subsection (2).

Funds to be kept in separate bank account.

(2) All moneys belonging to the District Board and held in respect of the Hospital shall, pending the investment or application of those moneys in accordance with the *Hospitals Act 1918* in respect of the Hospital, be paid into the account referred to in subsection (1) and no moneys shall be paid out of that account except by cheques signed by any 2 of the persons referred to in section 39 (1) of that Act.

SCHEDULE 1

Section 5 (1) (e)

CONSEQUENTIAL AMENDMENT OF HOSPITALS ACT 1918

1. Section 10 (b) is amended by omitting " contiguous ".
2. Section 11 is amended as follows:—
 - (a) by inserting in subsection (1) " and the Launceston Public Hospitals District " after " Hospitals District ";
 - (b) by inserting the following subsection after subsection (1A):—
 - (1B) For the Launceston Public Hospitals District there shall be a board constituted as provided in section 11AB.
 - (c) by omitting from subsection (2) " board ", where secondly occurring, and substituting " boards ";
 - (d) by inserting in subsection (2) " and the Launceston Public Hospitals District " after " Hospitals District ", where firstly occurring;
 - (e) by omitting from subsection (2) (a) (ii) " board;" and substituting " board; and ";
 - (f) by omitting from subsection (2) (a) (iii) " woman; and " and substituting " woman;"
 - (g) by omitting subsection (2) (a) (iv);
 - (h) by omitting from subsection (2B) " other than the Launceston District ".
3. The following section is inserted after section 11A:—

11AB—(1) The board for the Launceston Public Hospitals District shall consist of the members of the board under section 11B and 7 other members, of which 7 members—

Constitution of
Launceston
Board.

- (a) five shall be persons appointed by the Governor, and of the persons so appointed—
 - (i) one shall be appointed as chairman of the board;
 - (ii) one shall be appointed as vice-chairman of the board;
 - (iii) one shall be a woman; and
 - (iv) one shall be a registered medical practitioner residing and practising in the district nominated, as prescribed, by the registered medical practitioners residing and practising in the district;
- (b) one shall be a person elected by the component local authorities; and
- (c) one shall be a woman elected as prescribed by the women's auxiliary organization or, as the case may be, elected jointly, as prescribed, by the several women's auxiliary organizations, formed in connection with the public hospital or public hospitals with the maintenance, management, and regulation of which the board is charged.

(2) A medical practitioner who is employed in a full-time and permanent capacity by the Commonwealth or the State or by an authority constituted under any law of the Commonwealth or of the State is not eligible to be nominated or to vote at an election held for the purpose of subsection (1) (a) (iv).