

## **WATER SUPPLY TO HOSPITALS ACT.**

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**Act No. 18, 1941.**

An Act to provide for a supply of water free of charge to public hospitals; for this and other purposes to amend the Metropolitan Water, Sewerage and Drainage Act, 1924-1937, the Hunter District Water, Sewerage and Drainage Act, 1938, the Broken Hill Water and Sewerage Act, 1938, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 9th April, 1941.]

George VI.  
No. 18, 1941.

BE

No. 18, 1941.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title  
and  
citations.

**1.** (1) This Act may be cited as the "Water Supply to Hospitals Act, 1941."

(2) The Metropolitan Water, Sewerage and Drainage Act, 1924-1937, as amended by subsequent Acts and by this Act, may be cited as the Metropolitan Water, Sewerage and Drainage Act, 1924-1941.

(3) The Hunter District Water, Sewerage and Drainage Act, 1938, as amended by this Act, may be cited as the Hunter District Water, Sewerage and Drainage Act, 1938-1941.

(4) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1941.

Amendment  
of Act No.  
50, 1924.  
Sec. 93.

**2.** (1) The Metropolitan Water, Sewerage and Drainage Act, 1924-1937, as amended by subsequent Acts, is amended—

(Hospitals.)

- (a) by omitting from subsection one of section ninety-three the words "may supply water free of charge to any public hospital or" and by inserting in lieu thereof the words "shall supply water free of charge to any public hospital and may supply water free of charge to any";
- (b) by omitting from paragraph (a) of the same subsection the words "fifty gallons" and by inserting in lieu thereof the words "sixty-five gallons";
- (c) by inserting next after the same subsection the following new subsection:—

(1A) Subsection one of this section shall extend to a public hospital being part of an institution which consists of a public hospital or a public hospital and a private hospital together with premises (if any) occupied and used in connection with the public hospital or, as the case may be, the public hospital and the private hospital.

Where

Where any such institution consists of a public hospital and premises occupied and used in connection therewith all persons resident in the institution shall, for the purposes of paragraph (a) of subsection one of this section, be deemed to be resident in the public hospital.

Where any such institution consists of a public hospital and a private hospital, together with premises (if any) occupied and used in connection therewith, then, for the purpose of calculating the quantity of water referred to in paragraph (a) of subsection one of this section, the number of persons resident in the public hospital shall be a number which bears the same proportion to the total number of persons resident in the institution as the number of patients who are inmates of the public hospital bears to the number of patients who are inmates of both the public hospital and the private hospital.

(2) The Hunter District Water, Sewerage and Drainage Act, 1938, is amended —

- (a) by omitting from subsection one of section ninety-seven the words “may supply water free of charge to any public hospital or” and by inserting in lieu thereof the words “shall supply water free of charge to any public hospital and may supply water free of charge to any”;
- (b) by omitting from paragraph (a) of the same subsection the words “fifty gallons” and by inserting in lieu thereof the words “sixty-five gallons”;
- (c) by inserting next after the same subsection the following new subsection:—

(1A) Subsection one of this section shall extend to a public hospital being part of an institution which consists of a public hospital or a public hospital and a private hospital together with premises (if any) occupied and used in connection with the public hospital or, as the case may be, the public hospital and the private hospital.

Where

No. 18, 1941.  
Amendment  
of Act No.  
11, 1938.  
Sec. 97.  
(Hospitals.)

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Where any such institution consists of a public hospital and premises occupied and used in connection therewith all persons resident in the institution shall, for the purposes of paragraph (a) of subsection one of this section, be deemed to be resident in the public hospital.

Where any such institution consists of a public hospital and a private hospital, together with premises (if any) occupied and used in connection therewith, then, for the purpose of calculating the quantity of water referred to in paragraph (a) of subsection one of this section, the number of persons resident in the public hospital shall be a number which bears the same proportion to the total number of persons resident in the institution as the number of patients who are inmates of the public hospital bears to the number of patients who are inmates of both the public hospital and the private hospital.

Amendment  
of Act No.  
20, 1938.

Sec. 80.

(Hospitals.).

(3) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts, is amended—

- (a) by omitting from subsection one of section eighty the words “may supply water to any public hospital or” and by inserting in lieu thereof the words “shall supply water free of charge to any public hospital, and may supply water to any”;
- (b) by inserting in paragraph (a) of the same subsection after the words “free of charge” the words “shall be sixty-five gallons per day for every person resident in a public hospital and the quantity to be supplied free of charge”;
- (c) by omitting from the same paragraph the words “fifty gallons per day for every person resident in a public hospital and”;
- (d) by inserting next after the same subsection the following new subsection:—

(1A) Subsection one of this section shall extend to a public hospital being part of an institution which consists of a public hospital or a public hospital and a private hospital together

together with premises (if any) occupied and used in connection with the public hospital or, as the case may be, the public hospital and the private hospital. No. 18, 1941.

Where any such institution consists of a public hospital and premises occupied and used in connection therewith all persons resident in the institution shall, for the purposes of paragraph (a) of subsection one of this section, be deemed to be resident in the public hospital.

Where any such institution consists of a public hospital and a private hospital, together with premises (if any) occupied and used in connection therewith, then, for the purpose of calculating the quantity of water referred to in paragraph (a) of subsection one of this section, the number of persons resident in the public hospital shall be a number which bears the same proportion to the total number of persons resident in the institution as the number of patients who are inmates of the public hospital bears to the number of patients who are inmates of both the public hospital and the private hospital.

3. (1) The Metropolitan Water, Sewerage and Drainage Act, 1924-1937, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 50, 1924.

(a) by omitting subsection four of section ninety-seven and by inserting in lieu thereof the following subsection:—

Sec. 97.  
(Valuations.)

(4) Where any land has not been valued or separately valued pursuant to the Valuation of Land Act, 1916, the Sydney Corporation Act, 1932, or the Local Government Act, 1919, or the board considers that by reason of the erection, alteration or demolition of or damage by fire to buildings, or of the subdivision of land, the valuation pursuant to such Act is not the true valuation or is not in sufficient detail, or should be apportioned for the purposes of this Act, the board may cause a valuation or apportionment of the valuation to be made.

cf. Act No. 11, 1938, s. 101 (4).

The

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The board shall give notice of such valuation or apportionment and appeal against such valuation or apportionment shall lie in the manner provided in the case of objections against valuations under the Valuation of Land Act, 1916.

**Fourth  
Schedule.**

(b) by omitting from clause eleven of the Fourth Schedule the words "the valuation shall come into force and rates may be levied as from the date when the valuation is made" and by inserting in lieu thereof the words "the following provisions shall have effect:—

(i) the valuation shall come into force as from the date the same is made, in this clause hereinafter referred to as the 'date of valuation';

(ii) rates levied upon the land to which the valuation relates for the then current financial year of the board shall, in respect of that part of such financial year which ends on the date of valuation, be assessed on the value or values appearing in the valuation book or valuation list in force at the commencement of that financial year, and shall, in respect of the balance of the financial year, be assessed on the value or values appearing in the valuation made by the board;

(iii) where a rate notice in respect of the then current financial year of the board has been issued to the owner or occupier of the land to which the valuation relates before the date of valuation the board shall cause an amended rate notice to be issued;

(iv) where by reason of any amendment the liability of the owner or occupier is reduced the board may refund any rates overpaid:

Provided that where, during the financial year of the board ending on the thirtieth day of June, one thousand nine hundred and forty-one, the  
board

board considers that, by reason of the demolition of or damage by fire to a building erected on any land, the valuation of that land is not the true valuation, and, accordingly, makes a valuation of the land, the valuation so made shall come into force from such date, not being earlier than the first day of July, one thousand nine hundred and forty, as the board may determine.”

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(2) The Hunter District Water, Sewerage and Drainage Act, 1938, is further amended by omitting from clause eleven of the Third Schedule the words “the valuation shall come into force and rates may be levied as from the date when the valuation is made” and by inserting in lieu thereof the words “the following provisions shall have effect:—

Further amendment of Act No. 11, 1938. Third Schedule.

- (i) the valuation shall come into force as from the date the same is made, in this clause hereinafter referred to as the ‘date of valuation’;
- (ii) rates levied upon the land to which the valuation relates for the then current financial year of the board shall, in respect of that part of such financial year which ends on the date of valuation, be assessed on the value or values appearing in the valuation book or valuation list in force at the commencement of that financial year, and shall, in respect of the balance of the financial year, be assessed on the value or values appearing in the valuation made by the board;
- (iii) where a rate notice in respect of the then current financial year of the board has been issued to the owner or occupier of the land to which the valuation relates before the date of valuation the board shall cause an amended rate notice to be issued;
- (iv) where by reason of any amendment the liability of the owner or occupier is reduced the board may refund any rates overpaid:

Provided that where, during the financial year of the board ending on the thirtieth day of June, one thousand nine hundred and forty-one, the board considers that,  
by

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**No. 13, 1941.** by reason of the demolition of or damage by fire to a building erected on any land, the valuation of that land is not the true valuation, and, accordingly, makes a valuation of the land, the valuation so made shall come into force from such date, not being earlier than the first day of July, one thousand nine hundred and forty, as the board may determine."

Further  
amendment  
of Act No.  
20, 1938.  
First  
Schedule.

(3) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts, is further amended by omitting from clause eleven of the First Schedule the words "the valuation shall come into force and rates may be levied as from the date when the valuation is made" and by inserting in lieu thereof the words "the following provisions shall have effect:—

- (i) the valuation shall come into force as from the date the same is made, in this clause hereinafter referred to as the 'date of valuation';
- (ii) rates levied upon the land to which the valuation relates for the then current financial year of the board shall, in respect of that part of such financial year which ends on the date of valuation, be assessed on the value or values appearing in the valuation book or valuation list in force at the commencement of that financial year, and shall, in respect of the balance of the financial year, be assessed on the value or values appearing in the valuation made by the board;
- (iii) where a rate notice in respect of the then current financial year of the board has been issued to the owner or occupier of the land to which the valuation relates before the date of valuation the board shall cause an amended rate notice to be issued;
- (iv) where by reason of any amendment the liability of the owner or occupier is reduced the board may refund any rates overpaid:

Provided that where, during the financial year of the board ending on the thirty-first day of December, one thousand nine hundred and forty-one, the board considers that, by reason of the demolition of or damage by fire to a building erected on any land, the valuation of that land



