

NEW SOUTH WALES STATE CANCER COUNCIL (AMENDMENT) ACT.

Act No. 32, 1962.

Elizabeth II, No. 32, 1962 An Act to make further provision with respect to the New South Wales State Cancer Council; for this purpose to amend the New South Wales State Cancer Council Act, 1955; and for purposes connected therewith. [Assented to, 3rd December, 1962.]

BE it enacted by the Queen'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 citation. **1.** (1) This Act may be cited as the "New South Wales State Cancer Council (Amendment) Act, 1962".

(2) The New South Wales State Cancer Council Act, 1955, is in this Act referred to as the Principal Act.

(3) The New South Wales State Cancer Council Act, 1955, as amended by this Act, may be cited as the New South Wales State Cancer Council Act, 1955-1962.

2.

2. (1) Upon a day to be appointed by the Governor and notified by proclamation published in the Gazette (which day is in this section referred to as the "appointed day") the New South Wales State Cancer Council shall be reconstituted and shall consist of eight members in accordance with section five of the Principal Act, as amended by this section.

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Reconstitu-
tion of New
South Wales
State Cancer
Council.

(2) Subject to the Principal Act, as amended by this Act—

- (a) as from the appointed day the persons who immediately before the appointed day held office, or purported to hold office, as members of the New South Wales State Cancer Council shall be deemed to hold and to continue to hold office as such members; and
- (b) the member of the Council first appointed pursuant to paragraph (g) of subsection one of section five of the Principal Act, as amended by this section, shall hold office,

until the twelfth day of May, one thousand nine hundred and sixty-four, and shall, if otherwise qualified, be eligible for reappointment.

(3) Nothing contained in this section shall prejudice or affect in any way the continuity of the body corporate constituted under section three of the Principal Act, but the same shall continue notwithstanding the provisions of this section.

(4) (a) For the purposes only of the appointment of the additional member of the New South Wales State Cancer Council as reconstituted under this section, and of any matters necessary for or incidental to such appointment or reconstitution the provisions of subsection five of this section shall commence upon the day upon which the assent of Her Majesty to this Act is signified.

(b) The person so appointed shall assume his office as member of the New South Wales State Cancer Council upon the appointed day, and on that day the provisions of subsection five of this section shall come into force for all purposes.

(5)

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Amendment
of Act No.
25, 1955.

Sec. 5.
(Members
of Council.)

(5) The Principal Act is amended—

- (a) by omitting from subsection one of section five the word “seven” and by inserting in lieu thereof the word “eight”;
- (b) by omitting from paragraph (e) of the same subsection the words “British Medical Association” and by inserting in lieu thereof the words “Australian Medical Association”;
- (c) by inserting at the end of the same subsection the following new paragraph :—
 - (g) one shall be appointed on the nomination of the Council of the University of New South Wales.

Further
amendment
of Act No.
25, 1955.

Sec. 4.
(Objects of
the Coun-
cil.)

3. The Principal Act is further amended—

- (a) by inserting next after paragraph (e) of subsection one of section four the following new paragraph :—
 - (ei) to carry out the objects set out in paragraphs (a), (b), (c), (d) and (e) of this subsection in association or jointly with any organisations, societies or other bodies, whether in Australia or elsewhere, which have objects similar to the objects of the Council;
- (b) by inserting at the end of subsection three of section five the words “other than such sustenance and travelling expenses incurred in transacting business of the Council, as may be prescribed.

Sec. 5.
(Members
of
Council.)

The office of a member shall not, by reason of such member accepting or receiving any such expenses be deemed to be an office or place of profit under the Crown for the purposes of the Constitution Act, 1902, or any Act amending the same”;

(c)

- (c) by omitting paragraph (c) of subsection one of section six and by inserting in lieu thereof the following paragraph : —

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Sec. 6.
(Vacation
of office.)

(c) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as amended by subsequent Acts;

- (d) (i) by omitting from paragraph (a) of subsection four of section eleven the word, symbols and letter "and (e)" and by inserting in lieu thereof the symbols, letters and word ", (e) and (ei)";

Sec. 11.
(New South
Wales State
Cancer
Council
Account.)

(ii) by inserting next after paragraph (b) of the same subsection the following new paragraph : —

(bi) in meeting costs of membership of the Council in or affiliating with any organisations, societies or other bodies, whether in Australia or elsewhere, which have objects similar to those set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act;

- (e) by omitting from section twelve the word, symbols and letter "and (e)" and by inserting in lieu thereof the symbols, letters and word ", (e) and (ei)".

Sec. 12.
(Property
to be held
in trust.)