

## AMBULANCE TRANSPORT SERVICE ACT.

### Act No. 5, 1919.

An Act to make better provision for rendering first aid to, and for the transport of sick and injured persons, and for that purpose to establish a board with certain powers and duties; and for purposes consequent thereon or incidental thereto. [Assented to, 10th November, 1919.] George V,  
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**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:—

#### *Preliminary.*

**1.** This Act may be cited as the “Ambulance Transport Service Act, 1919.” Short title.

**2.** In this Act, unless the context otherwise indicates,— Definitions.

“The board” means the board constituted or reconstituted under this Act.

“Contributor” means and includes a life member and also any person who contributes to the funds of the board or of a district committee a sum of not less than ten shillings annually so long as he continues to so contribute.

“District” means a district appointed and delimited by the board in pursuance of this Act.

“District committee” means the committee from time to time elected for a district.

“Life member” means any person who at the commencement of this Act was a life member of any of the ambulance brigades named in section

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section four or who contributes to the funds of the board or of any district committee a sum of not less than ten pounds or who has been appointed a life member under section fourteen. "Prescribed" means prescribed by regulations made in pursuance of this Act.

*The board.*

Board to be established.

**3.** For the purpose of organising and controlling the work of rendering first aid to and the transport of sick and injured persons a board shall be established which shall under the name of the New South Wales Ambulance Transport Service Board be a body corporate, and have a common seal, and in its corporate name be capable of holding property of any description and of suing and being sued. The members of such board shall not be paid but shall give their services gratuitously.

First board constituted.

**4.** (1) The board shall until reconstituted as hereinafter provided consist of members who shall be appointed and elected as follows:—

- (a) A chairman and two members to be appointed by the Governor;
- (b) three members to be elected by the St. John Ambulance Brigade;
- (c) three members to be elected by the Civil Ambulance Transport Brigade;
- (d) one member to be elected by the Canterbury District Ambulance Brigade; and
- (e) one member to be elected by the Newtown and District Ambulance Transport Brigade.

(2) The members of the board as constituted under this section shall hold office for three years, and shall then retire, but shall be eligible for re-appointment or re-election.

Reconstitution of board.

**5.** On the retirement of the members of the board under the last preceding section, the board shall be reconstituted, and shall thereafter consist of—

- (a) a chairman and two members to be appointed by the Governor;
- (b) three members to be elected by the committee of the central district;
- (c) one member to be elected by each other district committee.

**6.**

**6.** The election of members of the board under either of the two last preceding sections shall take place on or before a day to be prescribed, and if any ambulance brigade or any district committee fails on or before such day to elect a member or members as hereinbefore provided, the Governor shall, within fourteen days after such default, by notification in the Gazette, appoint a member or members, and every person so appointed shall for all purposes of this Act be deemed to be a duly elected member of the board.

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The election  
of the board.

**7.** (1) The members of the board first appointed by the Governor under section five shall hold office for three years, and shall then retire.

Term of  
office.

One of the members of the board first elected under the said section by the committee of the central district shall retire at the end of one year, a second member at the end of two years, and the third member at the end of three years, after election.

One-third (or the number nearest to one-third) of the members first elected under the said section by the other district committees shall retire at the end of one year after election, another third (or number as aforesaid) at the end of two years, and the remainder at the end of three years.

Questions as to which members shall retire as aforesaid may be decided by mutual arrangement, or in such other manner as may be prescribed.

(2) Members appointed or elected at any appointment or election after the first shall hold office for three years and shall then retire.

(3) The place of any member of the board retiring on the expiration of his term of office shall be filled by appointment or election, as the case may be.

(4) Retiring members shall be eligible for re-appointment or re-election.

**8.** (1) The Governor may for sufficient cause suspend or remove any member of the board from his office.

Extra-  
ordinary  
vacancies.

(2) If any member of the board absents himself from three consecutive meetings thereof without having obtained leave of absence from the board, his seat shall become vacant.

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Filling of extraordinary vacancies.
- 9.** On any vacancy occurring during the term of office of a member of the board appointed by the Governor, the Governor shall appoint a person to such vacant office; and on any vacancy occurring during the term of office of any other member such vacancy shall be filled by a person elected by the ambulance brigade or district committee, as the case may be, which elected the person in whose office the vacancy occurred. The person so appointed or elected shall hold office for the residue of his predecessor's term.
- Voting at meetings of board.
- 10.** The chairman shall have the right to vote on all occasions, and in the event of an equality of votes shall have a second or casting vote.
- One-third of the members of the board shall be a quorum.
- Officers and servants of board.
- 11.** The board may from time to time appoint or employ such and so many officers and servants as it thinks fit and remove or dismiss them.

*District committees.*

- Districts.
- 12.** The board shall from time to time appoint and delimit certain districts for the purposes of this Act, and a district committee shall be elected for each district. One of such districts shall be called the Central District, and shall comprise the area within the boundaries from time to time of the Sydney Metropolitan Traffic Area.
- District committees.
- 13.** Each district committee shall be elected annually in the prescribed manner by contributors to its funds, and be subject to prescribed regulations.
- Lifemembers.
- 14.** The board may, on the recommendation of any district committee, appoint as life members persons who have rendered meritorious service in aid of the purposes of this Act.

*General provisions.*

- Endowment of board.
- 15.** The Colonial Treasurer shall out of the Consolidated Revenue Fund pay to the board such sums as Parliament votes for the purposes of this Act.
- Vesting of property in board.
- 16.** All real and personal property which at the commencement of this Act is vested in and held by any person in trust for or on behalf of any of the ambulance brigades mentioned in section four is hereby transferred to and vested in the board for the purposes of this Act.
- 17.**

**17.** The board shall report to the Minister in every year as to its proceedings, receipts, and expenditure, and upon all matters within the scope of its operations under this Act, and such report shall be laid by him before Parliament.

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Report to  
Minister by  
board.

**18.** The business and operations of each district for the purposes of this Act shall be administered by the district committee under the control of the board in accordance with regulations made under this Act and in accordance with such by-laws as may be made by such district committee with the approval of the board.

Adminis-  
tration of  
districts.

**19.** Subject to the next succeeding section, the funds of each district arising from contributions made to such district from subsidies received from the Government in respect of such contributions and from fees and charges received in respect of the operations of the district committee therein shall be administered separately and shall not be used in liquidating, or be liable for, any claims of or on any other district or district committee.

Funds of  
districts.

**20.** Ten per centum of all such contributions and subsidies shall be paid to the funds of the board and be applied by the board for the purposes of this Act in such manner as the board may think fit.

Contributions  
to board from  
districts.

**21.** It shall be unlawful for any committee or organisation to carry on within the boundaries of any district any operations similar to those carried on by the board or by a district committee under the provisions of this Act except with the sanction and under the control of the board: Provided that nothing in this Act shall affect the operations of the St. John Ambulance Association and brigade overseas as carried on prior to the commencement of this Act, other than transport work.

Operations in  
districts  
without  
authority of  
board.

#### *Regulations.*

**22.** (1) The board may, with the approval of the Governor, make regulations for carrying out the purposes of this Act, and particularly—

Regulations.

- (a) for the establishment, management, and control of all districts appointed as aforesaid;
- (b) for the election of district committees and for the guidance and control of such committees;
- (c) for elections of members of the board by district committees;

(d)

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- (d) for voting by post at any election of members of the board or of a district committee ;
  - (e) for regulating the meetings of and conduct of business by the board and district committees ;
  - (f) for the employment of officers and servants of the board and for payment of salaries and wages ;
  - (g) for ensuring discipline and good conduct among such officers and servants ;
  - (h) for the use of any property of the board and the rendering of any services by its officers and servants, and for fixing, imposing, and receiving fees and charges in respect of such use and service ;
  - (i) imposing penalties for breach of any regulation made under this Act not exceeding for any offence the sum of five pounds.
- (2) Such regulations shall—
- (i) be published in the Gazette ;
  - (ii) take effect from the date of publication, or from a later date to be specified in such regulations ; and
  - (iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall therefrom cease to have effect.

*Legal procedure.*

Recovery  
against board  
of damages  
for injury.

**23.** No person shall be entitled to recover against the board any damages in respect of any injury to person or property alleged to have been sustained by him or any other person by reason of the negligence of the board or any of its officers or servants unless notice in writing that injury has been sustained is given to the secretary of the board at its office at Sydney within one month, and the action is commenced within six months from the date on which the injury was sustained

sustained or in the case of death of the person injured the action is commenced within twelve months from the date of the death. **George V,  
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**24.** In any action which may be brought against the board to recover damages or compensation in respect of personal injury or of injury to property, the court or jury shall not impose any fine or assess damages or compensation, nor shall judgment be given or entered for the plaintiff for any amount of money exceeding the respective amounts following, that is to say :—

If the personal injury results in death or permanent total disablement, five hundred pounds.

If the personal injury results in temporary disablement, two hundred and fifty pounds.

If the injury be to property only, two hundred and fifty pounds :

Provided that nothing in this Act shall affect any liability of the board under the Workmen's Compensation Act.

**25.** No member of the board shall be liable for any act of the board, but the board alone shall be liable.

**26.** Penalties imposed by regulations under this Act may be recovered before any stipendiary or police magistrate, or any two justices in petty sessions.