

**PUBLIC HOSPITALS (HOSPITALS INCORPORATION)
AMENDMENT ACT, 1983 (1984 No. 1)**

New South Wales



ANNO TRICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 1, 1984.

An Act to amend the Public Hospitals Act, 1929, to provide for the addition to the Second Schedule to that Act of The Sydney Hospital, The Royal Prince Alfred Hospital and The Royal Alexandra Hospital for Children; to make other provisions with respect to the Schedules to that Act; and for other purposes. [Assented to, 11th January, 1984.]

Public Hospitals (Hospitals Incorporation) Amendment.

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.

1. This Act may be cited as the "Public Hospitals (Hospitals Incorporation) Amendment Act, 1983".

Commencement.

2. (1) Subject to this section, this Act shall commence on the date of assent to this Act.

(2) Section 5, in its application to a provision of Schedule 1, 2 or 3, shall commence or be deemed to have commenced, as the case may require, on the day on which the provision commences or is deemed to have commenced.

(3) Schedule 1 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(4) The provisions of—

- (a) section 6 (1) and Schedule 2 (5) (c) and (6) (c);
- (b) section 6 (2) and Schedule 2 (1), (3), (4), (5) (b) and (6) (b); and
- (c) section 6 (3) and Schedule 2 (5) (a) and (6) (a),

shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette, being a day or days not earlier than the day appointed and notified under subsection (3).

(5) Schedule 2 (2) shall commence on—

- (a) the day appointed and notified under subsection (4) in relation to section 6 (2) and Schedule 2 (1), (3), (4), (5) (b) and (6) (b); or

Public Hospitals (Hospitals Incorporation) Amendment.

(b) the day appointed and notified under section 2 (6) of the Public Hospitals (Amendment) Act, 1976,
whichever is the later.

(6) Schedule 3 shall be deemed to have commenced on 17th December, 1982.

Principal Act.

3. The Public Hospitals Act, 1929, is referred to in this Act as the Principal Act.

Schedules.

4. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN SCHEDULES.

SCHEDULE 2.—AMENDMENT TO THE PRINCIPAL ACT RELATING TO CERTAIN HOSPITALS.

SCHEDULE 3.—AMENDMENT TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

SCHEDULE 4.—SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.

Amendment of Act No. 8, 1929.

5. The Principal Act is amended in the manner set forth in Schedules 1–3.

Repeals.

6. (1) The Sydney Hospital Act of 1881 is repealed.

(2) The Prince Alfred Hospital Act, 1902, and the Prince Alfred Hospital (Government Representation) Act, 1915, are repealed.

(3) The Royal Alexandra Hospital for Children Incorporation Act of 1906 and the Royal Alexandra Hospital for Children Incorporation Amendment Act of 1906 are repealed.

Public Hospitals (Hospitals Incorporation) Amendment.

Savings, transitional and other provisions.

7. Schedule 4 has effect.

SCHEDULE 1.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN SCHEDULES.

- (1) Section 3, definition of "Hospital"—

After "ailment", insert ", any district nursing association, any bush nursing association and any organisation for providing aerial medical services".

- (2) Section 4 (2)–(6)—

Omit the subsections, insert instead:—

(2) The Governor may, by order published in the Gazette, amend the Second Schedule—

- (a) by inserting in the First Column the corporate name of any hospital to be incorporated under Part IV and by inserting in the Second Column opposite thereto the name of the hospital, if any, to be so incorporated or, where the incorporation occurs as a consequence of the amalgamation of 2 or more incorporated hospitals, the names of the hospitals so amalgamated;
- (b) by omitting any name from the First Column and any matter opposite thereto in the Second Column; or
- (c) by amending any name in the First Column or any matter opposite thereto in the Second Column, or both.

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*

(3) The Second Schedule may not be amended under this section so as—

- (a) to insert in the Second Schedule the name of an institution (not being The Sydney Hospital, The Royal Prince Alfred Hospital or The Royal Alexandra Hospital for Children) which, immediately before the date of assent to the Public Hospitals (Hospitals Incorporation) Amendment Act, 1983, was in the Third Schedule, except with the consent of the governing authority of the institution; or
- (b) to insert in the Second Schedule the name of any district nursing association, bush nursing association or organisation for providing aerial medical services (being an organisation for providing those services which was conducting operations immediately before the commencement of the Public Hospitals (Further Amendment) Act, 1934), except with the consent of the governing body of the association or organisation.

(4) The Governor may, by order published in the Gazette, amend the Third Schedule by inserting, omitting or amending the name of any institution.

(3) Section 13A (2)—

Omit the subsection, insert instead:—

(2) The Governor may, in accordance with a recommendation made under this section, by order published in the Gazette—

- (a) close an incorporated hospital; or
- (b) amalgamate 2 or more incorporated hospitals,

and may, in the order, pursuant to section 4 (2), amend the Second Schedule accordingly.

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*

(4) Section 18 (1)–(2A)—

Omit section 18 (1) and (2), insert instead:—

(1) Subject to this Act, on and from the date of assent to the Public Hospitals (Hospitals Incorporation) Amendment Act, 1983, each hospital mentioned in the First Column of the Second Schedule shall be a body corporate with the corporate name therein indicated.

(2) Upon the publication of an order in the Gazette under section 4 (2) (a) (not being an order relating to the amalgamation of 2 or more incorporated hospitals) inserting the name of a hospital in the Second Column of the Second Schedule—

- (a) if the hospital is not a body corporate—the hospital shall thereby be constituted a body corporate under this Part; or
- (b) if the hospital is a body corporate—the hospital shall cease to be that body corporate and shall thereby be constituted a body corporate under this Part,

with the corporate name specified in the First Column of the Second Schedule opposite the name of the hospital inserted in the Second Column.

(2A) Upon the publication of an order in the Gazette under section 4 (2) (a) (not being an order relating to the amalgamation of 2 or more incorporated hospitals) inserting in the First Column of the Second Schedule the corporate name of a hospital to be incorporated under this Part where no name of a hospital is inserted in the Second Column opposite thereto, there shall thereby be constituted, as a body corporate, a hospital under this Part, with the corporate name specified in the First Column.

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*

(5) Second, Third, Fourth and Fifth Schedules—

Omit the Schedules, insert instead:—

SECOND SCHEDULE.

(Secs. 3, 4, 18.)

INCORPORATED HOSPITALS.

| First Column. | Second Column. |
|--|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Adelong Hospital. | Adelong Outpost. |
| The Albury Base Hospital. | Albury District. |
| The Armidale and New England Hospital. | Armidale and New England. |
| The Aruma Home, Grafton. | Grafton Benevolent Asylum. |
| The Auburn District Hospital. | Auburn District. |
| The Ballina District Hospital. | Ballina District. |
| The Balmain Hospital. | Balmain District. |
| The Balranald District Hospital. | Balranald District. |
| The Bangalow District (War Memorial) Hospital. | Bangalow War Memorial. |
| The Bankstown Hospital. | Bankstown District. |
| The Barham and Koondrook Soldiers' Memorial Hospital. | Barham and Koondrook Soldiers' Memorial. |
| The Barraba and District Hospital. | Barraba. |
| The Bateman's Bay District Hospital. | Bateman's Bay and District Centre of the New South Wales Bush Nursing Association Incorporated. |
| The Bathurst District Hospital. | Bathurst District. |
| The Batlow District Hospital. | Batlow. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|---|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Bega District Hospital. | Bega District. |
| The Bellinger River District Hospital. | Bellingen. |
| The Berrigan War Memorial Hospital. | Berrigan War Memorial. |
| The Bindawalla Hospital, Wellington. | Wellington District. |
| The Bingara District Hospital. | Bingara District. |
| Blacktown Hospital. | Blacktown. |
| The Blayney District Hospital. | Blayney Cottage. |
| The Blue Mountains District Anzac Memorial Hospital. | Katoomba. |
| The Boggabri District Hospital. | Boggabri District. |
| The Bombala District Hospital. | Bombala District. |
| The Boorowa District Hospital. | Boorowa District. |
| The Bourke District Hospital. | Bourke District. |
| The Bowral and District Hospital. | Bowral. |
| The Braidwood District Hospital. | Braidwood. |
| The Brewarrina District Hospital. | Brewarrina. |
| The Broken Hill Base Hospital. | Broken Hill. |
| The Bulahdelah District Hospital. | Bulahdelah. |
| Bulli District Hospital | Bulli. |
| The Byron District Hospital. | Byron District. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|--|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Camden District Hospital. | Camden Cottage. |
| The Campbell Hospital, Coraki. | Coraki. |
| Campbelltown Hospital. | |
| The Canowindra Soldiers' Memorial Hospital. | Canowindra (Soldiers' Memorial). |
| The Canterbury Hospital. | Canterbury District. |
| The Carcoar District Hospital. | Carcoar District. |
| The Casino and District Memorial Hospital. | Bonalbo District. Casino Memorial. |
| The Cessnock District Hospital. | Cessnock District. |
| The Cobar District Hospital. | Cobar District. |
| The Coff's Harbour and District Hos- pital. | Coff's Harbour and District. |
| The Coledale District Hospital. | Illawarra Cottage. |
| The Collarenebri District Hospital. | Collarenebri District. |
| The Condobolin District Hospital. | Condobolin District. |
| The Coolah District Hospital. | Coolah District. |
| The Cooma District Hospital. | Cooma District. |
| The Coonabarabran District Hospital. | Coonabarabran District. |
| The Coonamble District Hospital. | Coonamble District. |
| The Cootamundra Hospital. | Cootamundra District. |
| The Corowa Hospital. | Corowa. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|--|--|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Cowra District Hospital. | Cowra District. |
| The Crookwell District Hospital. | Crookwell and District Cottage. |
| The Cudal War Memorial Hospital. | Cudal War Memorial. |
| The Culcairn District Hospital. | Culcairn Cottage. |
| The Dalwood Children's Home. | Dalwood. |
| The Delegate District Hospital. | Delegate Cottage. |
| The Deniliquin Hospital. | Deniliquin. |
| The Dorrigo Hospital. | Dorrigo. |
| The Dubbo Base Hospital. | Dubbo District. |
| The Dunedoo War Memorial Hospital. | Dunedoo Memorial. |
| The Dungog and District Hospital. | Dungog Cottage. |
| The Eastern Suburbs Hospital. | Eastern Suburbs. |
| The Eugowra Memorial Hospital. | Eugowra Memorial. |
| The Fairfield District Hospital. | Fairfield. |
| The Finley Hospital. | Finley Centre of the New South Wales Bush Nursing Association Incorporated. |
| The Forbes District Hospital. | Forbes District. |
| The Gilgandra District Hospital. | Gilgandra District. |
| The Glen Innes District Hospital. | Glen Innes District. |
| The Gloucester Soldiers' Memorial Hospital. | Gloucester Soldiers' Memorial. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|--|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Goodooga District Hospital. | Goodooga District. |
| The Gosford District Hospital. | Erina Shire. |
| The Goulburn District Hospital. | Goulburn District. |
| The Governor Phillip Special Hospital, Penrith. | Governor Phillip Special Hospital, Penrith. |
| The Gower Wilson Memorial Hospital, Lord Howe Island. | Gower Wilson Memorial Hospital, Lord Howe Island. |
| The Grafton Base Hospital. | Grafton District. |
| The Grenfell District Hospital. | Grenfell District. |
| The Griffith Base Hospital. | Griffith. |
| The Gulgong District Hospital. | Gulgong District. |
| The Gundagai District Hospital. | Gundagai District. |
| The Gunnedah District Hospital. | Gunnedah District. |
| The Guyra District War Memorial Hos- pital. | Guyra District. |
| The Hastings District Hospital, Port Macquarie. | Port Macquarie (The Hastings District Cottage Hospital). |
| Hawkesbury Hospital, Windsor. | Hawkesbury Benevolent Society and Hospital. |
| The Hay Hospital. | Hay. |
| The Henty District Hospital. | Henty and District Community. |
| The Hills District Hospital. | |
| The Hillston District Hospital. | Hillston. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|--|--|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Holbrook District Hospital. | Holbrook. |
| The Hornsby and Ku-ring-gai Hospital. | Hornsby District. |
| The Inverell District Hospital. | Bundarra District. Inverell District. Tingha District. |
| The Ivanhoe District Hospital. | Ivanhoe. |
| The Jerilderie District Hospital. | Jerilderie District. |
| The Junee District Hospital. | Junee District. |
| The Kempsey District Hospital. | Kempsey (Macleay). |
| The Kiama District Hospital. | Kiama District. |
| The Kurri Kurri District Hospital. | Kurri Kurri District. |
| The Kyogle Memorial Hospital. | Kyogle Memorial. |
| The Lake Cargelligo District Hospital. | Lake Cargelligo. |
| The Langton Clinic. | Langton Clinic. |
| The Leeton District Hospital. | Leeton District. |
| The Lismore Base Hospital. | Lismore Base. Nimbin District Memorial. |
| The Lithgow District Hospital. | Lithgow District. |
| The Liverpool Hospital. | Liverpool District. |
| The Lockhart and District Hospital. | Lockhart and District. |
| The McCaughey Memorial Hospital, Urana. | Urana District. |

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*

SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|--|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Macksville and District Hospital. | Nambucca. |
| The Maclean District Hospital. | Maclean (Lower Clarence). |
| The Maitland Hospital. | Maitland. |
| The Manilla District Hospital. | Manilla District. |
| The Manly District Hospital. | Manly Cottage. |
| The Manning River District Hospital. | Manning River District. Wingham and District War Memorial. |
| The Marrickville District Hospital. | Marrickville District. |
| The Merriwa District Hospital. | Merriwa District. |
| Milton-Ulladulla Hospital. | Milton and Ulladulla Centre of the New South Wales Bush Nursing Associa- tion Incorporated. |
| The Molong District Hospital. | Molong Cottage. |
| The Mona Vale District Hospital. | Mona Vale. |
| The Moree District Hospital. | Moree District. |
| The Moruya District Hospital. | Moruya District. |
| The Mount Druitt Hospital. | Mount Druitt. |
| The Mudgee District Hospital. | Mudgee District. |
| The Mullumbimby and District War Memorial Hospital. | Mullumbimby District. |
| The Murrumburrah-Harden District Hospital. | Murrumburrah-Harden District. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|--|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Murwillumbah District Hospital. | Murwillumbah (Tweed District). |
| The Muswellbrook District Hospital. | Muswellbrook (Brentwood Hospital). |
| The Narrabri District Hospital. | Narrabri District. |
| The Narrandera District Hospital. | Narandera Public. |
| Narromine District Hospital. | Narromine. |
| The Nepean Hospital, Penrith. | Penrith (Nepean) District. |
| The Newcastle Western Suburbs Hospital. | Benevolent Home, Waratah, conducted by the Newcastle and Northumber- land Benevolent Society. |
| The Nyngan District Hospital. | Nyngan District. |
| The Oberon District Hospital. | Oberon District. |
| The Orange Base Hospital. | Orange District. |
| The Pambula District Hospital. | Pambula District. |
| The Parkes District Hospitals. | Parkes District. Peak Hill and District. |
| The Parramatta Hospitals. | Parramatta District. |
| Port Kembla District Hospital. | Port Kembla District. |
| The Portland District Hospital. | Portland District. |
| The Prince Albert Memorial Hospital, Tenterfield. | Tenterfield. |
| The Prince Henry Hospital. | Prince Henry. |
| The Prince of Wales Hospital. | Prince of Wales. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|--|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Queanbeyan District Hospital. | Queanbeyan District. |
| The Queen Victoria Memorial Hospitals. | Picton Lakes Village. Queen Victoria Homes. |
| The Quirindi District Hospital. | Quirindi District. |
| The Rachel Forster Hospital. | Rachel Forster Hospital for Women. |
| The Royal Newcastle Hospital. | Newcastle. |
| The Royal North Shore Hospital of Sydney. | Royal North Shore Hospital of Sydney. |
| The Royal South Sydney Hospital. | Royal South Sydney (Zetland). |
| The Ryde Hospital. | Ryde District. |
| The Rylstone District Hospital. | Rylstone District. |
| The St. George Hospital. | St. George District. |
| The Scott Memorial Hospital, Scone. | Scone (Scott Memorial). |
| The Shoalhaven District Memorial Hospital. | Shoalhaven District War Memorial. |
| Singleton District Hospital. | Singleton (Dangar Cottage). |
| The Stewart House Preventorium, Curl Curl. | Stewart House Preventorium, Curl Curl. |
| The Sutherland Hospital, Caringbah. | Sutherland Shire District. |
| The Sydney Home Nursing Service. | District Nursing Association. |
| The Sydney Homoeopathic Hospital. | Sydney Homoeopathic. |
| The Tamworth Base Hospital. | Tamworth District. |

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|---------------------------------------|---|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Temora and District Hospital. | Temora and District. |
| The Tibooburra District Hospital. | Tibooburra. |
| The Tocomwal Hospital. | Tocomwal Community. |
| The Tottenham Hospital. | Tottenham and District Community. |
| The Trangie Hospital. | Trangie. |
| The Tullamore District Hospital. | Tullamore Community. |
| The Tumbarumba District Hospital. | Tumbarumba District. |
| The Tumut and District Hospital. | Tumut. |
| The Tweed Heads District Hospital. | Tweed Heads—Coolangatta. |
| The Ungarie District Hospital. | Ungarie District. |
| United Dental Hospital of Sydney. | United Dental Hospital of Sydney. |
| The Urbenville and District Hospital. | Urbenville Centre of the New South Wales Bush Nursing Association Incorporated. |
| The Vegetable Creek Hospital. | Vegetable Creek. |
| The Wagga Wagga Base Hospital. | Wagga Wagga Base. Tarcutta District Bush Nursing. |
| The Walcha District Hospital. | Walcha Cottage. |
| The Walgett District Hospital. | Walgett. |
| The Wallsend District Hospital. | Wallsend Mining District. |
| The Warialda District Hospital. | Warialda District. |
| The Warren District Hospital. | Warren District. |

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*

SECOND SCHEDULE—*continued.*

| First Column. | Second Column. |
|---|--|
| Corporate Name. | Hospital Incorporated, if any, or Hospitals Amalgamated. |
| The Wauchope District Memorial Hospital. | Wauchope District Memorial. |
| The Wee Waa District Hospital. | Wee Waa District. |
| The Wentworth District Hospital. | Wentworth District. |
| Werris Creek District Hospital. | Werris Creek District. |
| The Western Suburbs Hospital. | Western Suburbs. |
| The Wilcannia and District Hospital. | Wilcannia and District. |
| The Wilson Memorial Hospital, Murrurundi. | Murrurundi (The Wilson Memorial). |
| The Wollongong Hospital. | Wollongong District. |
| The Wyalong and District Hospital. | Wyalong and District. |
| The Yass District Hospital. | Yass District. |
| The Yeoval Hospital. | Yeoval Centre of the New South Wales Bush Nursing Association Incorporated. |
| The Young District Hospital. | Young (Burrangong District). |

THIRD SCHEDULE.

(Secs. 3, 4.)

SEPARATE INSTITUTIONS.

- The Anglican Deaconess Institution in respect of Braeside Anglican Hospital, Stanmore.
The Australian Red Cross Society in respect of Glen Mervyn Junior Red Cross Children's Home, Randwick.

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*THIRD SCHEDULE—*continued.*

- The Australian Red Cross Society in respect of The Bodington Red Cross Hospital, Wentworth Falls.
- The Australian Red Cross Society in respect of the Eleanor Mackinnon Junior Red Cross Home, Cronulla.
- Benevolent Society of New South Wales in respect of Scarba.
- Benevolent Society of New South Wales in respect of the Lucy Gullett Hospital, Bexley.
- Benevolent Society of New South Wales in respect of The Royal Hospital for Women.
- The Buckland Convalescent Hospital, Springwood.
- The Calvary Hospital.
- Calvary Hospital, Kogarah.
- The Carrington Centennial Hospital for Convalescents.
- Chatswood District Community Hospital.
- Dame Eadith Walker Convalescent Hospital for Men.
- "Eversleigh" Home of Peace Hospital.
- Greenwich Home of Peace Hospital at Greenwich.
- Home of Peace Hospital in respect of Graythwaite Nursing Home.
- The Karitane Mothercraft Society.
- Lewisham Hospital conducted by the Little Company of Mary.
- Mater Misericordiae Hospital (North Sydney).
- Mercy Hospital, Albury, conducted by the Sisters of Mercy.
- The Mercy Hospital, Young.
- Mosman and District Community Hospital.
- Mount St. Joseph's Home, Young.
- The Mt. St. Margaret Hospital, Ryde.
- Neringah Home of Peace Hospital at Wahroonga.

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*THIRD SCHEDULE—*continued.*

- New South Wales Society for Crippled Children in respect of Beverley Park Home,
Campbelltown.
- Newcastle Mater Misericordiae Hospital (Waratah).
- North Sydney Community Hospital.
- Our Lady of Loreto Nursing Home for the Aged, Strathfield.
- The Royal Alexandra Hospital for Children.
- Royal Flying Doctor Service of Australia (N.S.W. Section).
- The Royal Prince Alfred Hospital.
- Royal Ryde Rehabilitation Hospital.
- Royal Society for the Welfare of Mothers and Babies in respect of the Tresillian
Homes at Petersham and Willoughby; and The Carpenter Mothercraft Home,
Wollstonecraft.
- Sacred Heart Hospice.
- St. Anthony's Home, Croydon.
- St. Catherine's Villa, Eastwood, conducted by the Daughters of Charity of St. Vincent
de Paul.
- St. John of God Hospital (Goulburn).
- St. Joseph's Hospital (Auburn).
- St. Luke's Hospital, Darlinghurst.
- St. Margaret's Hospital.
- St. Vincent's Hospital (Bathurst).
- St. Vincent's Hospital (Darlinghurst).
- St. Vincent's Hospital (Darlinghurst) in respect of Babworth House (After Care Unit),
Darling Point.
- The St. Vincent's Hospital (including The Hospice), Lismore.
- The Sydney Hospital.
- The Trustees of the Catholic Church Diocese of Bathurst in respect of Lourdes House,
Dubbo.

*Public Hospitals (Hospitals Incorporation) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*THIRD SCHEDULE—*continued.*

The Trustees of the Roman Catholic Church for the Diocese of Maitland in respect of the St. Joseph's Convalescent Home and Home for Aged and Infirm People, Hexham.

Uniting Church in Australia in respect of Lottie Stewart Hospital.

The Uniting Church in Australia, in respect of the War Memorial Hospital (Waverley).

The Uniting Church Nursing Service, Menindee.

FOURTH SCHEDULE.

(Secs. 3, 29B, 29E, 29F.)

ASSOCIATED ORGANISATIONS.

| First Column. | Second Column. |
|---|--|
| Name or Description of Associated Organisation. | Corporate Name of Board of Associated Organisation, where appointed under Part VA. |
| The Australian Red Cross Society in respect of Blood Transfusion Service. | |
| The New South Wales College of Nursing. | |
| The New South Wales Hospitals Planning Advisory Centre. | The New South Wales Hospitals Planning Advisory Centre. |
| The Newcastle Regional Nurse Training Council. | The Newcastle Regional Nurse Training Council. |

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
SCHEDULES—*continued.*

FIFTH SCHEDULE.

(Sec. 29J.)

HOSPITALS CONDUCTED BY THE MINISTER.

Allandale Hospital.
Bloomfield Hospital.
Collaroy Hospital.
Cumberland Hospital.
David Berry Hospital.
Garrawarra Hospital.
Gladesville Hospital.
Grosvenor Hospital.
Hunter Hospital.
Kenmore Hospital.
Lidcombe Hospital.
The Macquarie Hospital, North Ryde.
Marsden Hospital.
Morisset Hospital.
Peat Island Hospital.
Prison Medical Service.
The Rozelle Hospital.
Rydalmere Hospital.
Stockton Hospital.
Strickland House.
Tomaree Holiday Lodge.

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 2.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
HOSPITALS.

(1) Section 1 (2)—

After the matter relating to Division 2 of Part VIA, insert:—

DIVISION 3.—*The Royal Prince Alfred Hospital.*

(2) (a) Section 29AA (a)—

Omit “institution; and”, insert instead “institution.”.

(b) Section 29AA (b)—

Omit the paragraph.

(3) Part VIA, Division 3—

After Division 2, insert:—

DIVISION 3.—*The Royal Prince Alfred Hospital.*

Application of property in event of closure of Hospital.

33FH. In the event that the Governor makes an order under section 13A (2) that The Royal Prince Alfred Hospital, or any hospital or hospitals with which The Royal Prince Alfred Hospital may be amalgamated, shall be closed, section 15 (1) shall not operate to enable the Minister to devote—

- (a) where, at the time of the making of the order, The Royal Prince Alfred Hospital has not been amalgamated with another hospital—any property of the kind referred to in section 15 (1) and arising from the closure; or
- (b) where, at the time of the making of the order, The Royal Prince Alfred Hospital has been amalgamated with another hospital or other hospitals—a proportion, specified or

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
HOSPITALS—*continued.*

determined in accordance with the regulations, of any property of the kind referred to in section 15 (1) and arising from the closure, being a proportion that is not less than the proportion which the value, as at the date of the amalgamation, of the property of The Royal Prince Alfred Hospital bore to the value, as at that date, of the property of the other hospital or other hospitals,

to a purpose, other than a purpose which is solely for the benefit of a hospital or hospitals to which this Act applies.

(4) Section 33G, definition of “board”—

Omit the definition, insert instead:—

“board” includes, in relation to a separate institution, the governing authority of the separate institution;

(5) (a) Second Schedule—

After the matter relating to “The Rachel Forster Hospital”, insert in the First Column and the Second Column, respectively:—

| | |
|--|--|
| The Royal Alexandra Hospital for Children. | Royal Alexandra Hospital for Children. |
|--|--|

(b) Second Schedule—

After the matter relating to “The Royal North Shore Hospital of Sydney”, insert in the First Column and the Second Column, respectively:—

| | |
|--------------------------------------|----------------------|
| The Royal Prince Alfred Hospital. | Royal Prince Alfred. |
|--------------------------------------|----------------------|

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO CERTAIN
HOSPITALS—*continued.*

(c) Second Schedule—

After the matter relating to “The Sydney Homoeopathic Hospital”, insert in the First Column and the Second Column, respectively:—

The Sydney Hospital. | Sydney.

(6) (a) Third Schedule—

Omit “The Royal Alexandra Hospital for Children.”.

(b) Third Schedule—

Omit “The Royal Prince Alfred Hospital.”.

(c) Third Schedule—

Omit “The Sydney Hospital.”.

SCHEDULE 3.

(Sec. 5.)

AMENDMENT TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION.

Section 11 (1) (a)—

Omit “initiate, promote and”.

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 4.

(Sec. 7.)

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.

Interpretation.

1. (1) In this Schedule—

“appointed day” means—

- (a) in relation to The Sydney Hospital, the day appointed and notified under section 2 (4) in respect of section 6 (1) and Schedule 2 (5) (c) and (6) (c);
- (b) in relation to The Royal Prince Alfred Hospital, the day appointed and notified under section 2 (4) in respect of section 6 (2) and Schedule 2 (1), (3), (4), (5) (b) and (6) (b); and
- (c) in relation to The Royal Alexandra Hospital for Children, the day appointed and notified under section 2 (4) in respect of section 6 (3) and Schedule 2 (5) (a) and (6) (a);

“pre-existing board” means—

- (a) in relation to The Sydney Hospital, the Board of Directors referred to in the Sydney Hospital Act of 1881, of The Sydney Hospital;
- (b) in relation to The Royal Prince Alfred Hospital, the board of directors referred to in the Prince Alfred Hospital Act, 1902, of The Royal Prince Alfred Hospital; and
- (c) in relation to The Royal Alexandra Hospital for Children, the board of management referred to in the Royal Alexandra Hospital for Children Incorporation Act of 1906, of The Royal Alexandra Hospital for Children;

“superannuation scheme” means a scheme, fund or arrangement under which any superannuation or retirement benefits are provided and which is established by or under any Act;

“transferred hospital” means—

- (a) The Sydney Hospital;
- (b) The Royal Prince Alfred Hospital; or
- (c) The Royal Alexandra Hospital for Children.

(2) Words and expressions used in the provisions of this Schedule have the same meanings as in the Principal Act, as amended by this Act.

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 4—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.***Boards of Directors.**

2. (1) A person who, immediately before the appointed day, was a member of the pre-existing board of a transferred hospital shall, notwithstanding anything in section 22 (1A) or 24A (1) (i) of the Principal Act, on and from that day, be deemed to be an appointed director, within the meaning of section 22 (2) of the Principal Act, of the Board of Directors of the transferred hospital for a term of office, within the meaning of section 23C (2) (b) of the Principal Act, expiring on 7th December, 1985.

(2) Except as provided by subclause (1), nothing in this clause affects the application of Part V of the Principal Act to or in respect of any Board of Directors or any director referred to in that subclause.

Existing powers, etc., of certain hospitals continued.

3. (1) Any power, authority, duty or function conferred or imposed immediately before the appointed day on a pre-existing board of a transferred hospital in relation to the administration and operation of a hospital which the board had been appointed to govern, may, with the approval of the Minister, continue to be exercised or performed on and from that day by the Board of Directors of the transferred hospital.

(2) Notwithstanding subclause (1), the approval of the Minister, as referred to in that subclause, is not required in connection with the continued exercise or performance of any power, authority, duty or function by the Board of Directors of The Royal Prince Alfred Hospital in relation to the Dame Eadith Walker Convalescent Hospital for Men.

(3) Subclauses (1) and (2) shall apply notwithstanding any provision of the Principal Act to the contrary or the repeal of any Act.

(4) Without limiting the generality of subclause (1), a reference in that subclause to a power includes a reference to a power of investment.

Staff employed by certain hospitals.

4 (1) All persons who, immediately before the appointed day, were employees, servants, or members of the staff of the pre-existing board of a transferred hospital shall be deemed to have been appointed, on that day, as employees, servants, or members of the staff of the transferred hospital.

(2) Subject to subclause (3), where a person to whom subclause (1) applies was, immediately before the appointed day, a contributor to a superannuation scheme, the person—

- (a) shall retain any rights accrued or accruing to that person as such a contributor;

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 4—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

- (b) may continue to contribute to any superannuation scheme to which that person was a contributor immediately before that person's deemed appointment as an employee, a servant, or a member of the staff, of the transferred hospital,

and—

- (c) that person's service as an employee, a servant, or a member of the staff, of a pre-existing board shall be deemed to be service as an officer or employee of the transferred hospital for the purpose of any law under which those rights accrued or were accruing or under which that person continues to contribute; and
- (d) that person shall be deemed to be an officer or employee, and the transferred hospital shall be deemed to be that person's employer, for the purpose of the superannuation scheme to which that person is entitled to contribute under this clause.

(3) A person, being an employee, a servant, or a member of the staff, of a transferred hospital, who, but for this subclause, would be entitled under subclause (2) to contribute to a superannuation scheme shall not be so entitled upon becoming (whether upon the person's deemed appointment as an employee, a servant, or a member of the staff, of the transferred hospital or at any later time while that person holds office as an employee, a servant, or a member of the staff, of the transferred hospital) a contributor to any other superannuation scheme, and the provisions of subclause (2) (d) cease to apply to or in respect of that person and the transferred hospital in any case where that person becomes a contributor to another superannuation scheme.

(4) Subclause (3) does not prevent the payment to a person who is an employee, a servant, or a member of the staff, of a transferred hospital upon the person's ceasing to be a contributor to a superannuation scheme of such amount as would have been payable to that person if that person had ceased, by reason of resignation, to be an officer or employee for the purposes of that scheme.

(5) A person to whom subclause (1) applies shall be paid salary or wages by the transferred hospital of which the person is deemed to be an employee, a servant, or a member of the staff under that subclause at a rate not less than the rate which was payable to the person immediately before the appointed day, subject to any adjustment necessary to give effect to any fluctuation in a basic or minimum wage by reference to which that person's salary or wages is or are fixed, until the salary or wages payable to that person is or are varied or altered by an award of a competent tribunal, an industrial agreement or a determination under section 40BA (2) of the Principal Act.

(6) Where any condition of employment of a person to whom subclause (1) applies was, immediately before the appointed day, regulated by an award or industrial agreement, that condition shall continue after that day to be so regulated until it is varied by an award made by a court of competent jurisdiction and by which the

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 4—*continued.*

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

transferred hospital of which that person is deemed to be an employee, a servant, or a member of the staff under that subclause is bound, or that condition is regulated by an industrial agreement.

(7) Service with a pre-existing board of a person to whom subclause (1) applies shall be deemed to be service with the transferred hospital of which the person is deemed to be an employee, a servant, or a member of the staff under that subclause for the purposes of annual leave, sick leave and long service leave.

(8) A person to whom subclause (1) applies shall not, in respect of the same period of service, be entitled to claim a benefit under the provisions of this Schedule and another Act.

(9) An application for the purposes of section 92 (1) of the Superannuation Act, 1916, may be made in relation to a pre-existing board or a transferred hospital by—

- (a) the pre-existing board, before the appointed day;
- (b) the transferred hospital, on or after that day; or
- (c) the Corporation, at any time.

Continuation of incorporated hospitals, etc.

5. (1) In this clause, "institution" means an incorporated hospital, separate institution, associated organisation or hospital conducted by the Minister.

(2) An institution specified or described in the Second, Third, Fourth or Fifth Schedule to the Principal Act, as amended by this Act, is a continuation of, and the same legal entity as, the institution of the same name specified or described in—

- (a) the Second, Third, Fourth or Fifth Schedule, respectively, to the Principal Act, as in force immediately before the date of assent to this Act; or
- (b) an order made by the Governor under the Principal Act, as so in force,

as the case may require.

(3) Subject to the Principal Act, as amended by this Act, and to this Act, the governing authority of an institution immediately before the date of assent to this Act shall continue, on and from that date, to be the governing authority of the institution.

Validation.

6. Any act, matter or thing that—

- (a) was done before the date of assent to this Act by or in respect of The Hills District Hospital, the Campbelltown Hospital, the United Dental Hospital of Sydney or any other hospital mentioned in the Second Schedule to the Principal Act, as amended by this Act; and

Public Hospitals (Hospitals Incorporation) Amendment.

SCHEDULE 4—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

(b) could have lawfully been done only if the Principal Act, as amended by this Act, had been in force when it was done, is hereby validated.

Regulations.

7. (1) The Governor may make regulations containing other provisions of a savings or transitional nature consequent on the enactment of this Act or the making of an order under the Principal Act, being an order of the kind referred to in subclause (2).

(2) Where, on or after 23rd November, 1983, and before the day appointed and notified under section 2 (3), an order is made under the Principal Act affecting the contents of a Schedule to the Principal Act, the regulations may amend the Schedule as to be inserted into the Principal Act by this Act in substitution for the Schedule so affected to make such amendments as may be necessary or desirable to be made to the contents of the Schedule as to be so inserted as a consequence of the making of the order.

(3) A provision made under subclause (1) may take effect as from the date of assent to this Act or a later date.

(4) To the extent to which a provision referred to in subclause (1) takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as—

- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication therein; or
- (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication therein.

(5) A provision made under subclause (1) shall, if the regulations expressly so provide, have effect notwithstanding the foregoing clauses of this Schedule (clause 4 excepted).
