



New South Wales

Walker Trusts Amendment Act 1997 No 117

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Walker Trusts Amendment Act 1997 No 117

Act No 117, 1997

An Act to amend the *Walker Trusts Act 1938* with respect to the use and funding of the Dame Eadith Walker Convalescent Hospital for Men; to enable the lease or licensing of certain land; to validate certain matters; and for other purposes. [Assented to 9 December 1997]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Walker Trusts Amendment Act 1997*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Walker Trusts Act 1938 No 31

The *Walker Trusts Act 1938* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 9A

Insert after section 9:

9A Dame Eadith Walker Hospital

- (1) On the commencement of this section:
 - (a) the Dame Eadith Walker Convalescent Hospital for Men is renamed the Dame Eadith Walker Hospital, and
 - (b) a reference in any Act or instrument to the Dame Eadith Walker Convalescent Hospital for Men is to be construed as a reference to the Dame Eadith Walker Hospital.
- (2) Despite the other provisions of this Act, the Dame Eadith Walker Hospital may be used for the purpose of the provision of public health services for any person.
- (3) The Minister must, after considering the amount of funds paid to the Central Sydney Area Health Service under section 11 (e) (ii) and such other matters as the Minister thinks fit, allocate out of funds available to the Government such additional funds (if any) as the Minister considers appropriate.

[2] Sections 19B and 19C

Insert after section 19A:

19B Lease or licence of trust land

- (1) The Central Sydney Area Health Service, as trustee of land vested in the Crown by this Act and dedicated for the purposes of the Dame Eadith Walker Hospital, or any successor as trustee, must lease, or grant a licence of,

part of that land for public hospital or other public health purposes, for the purpose of public open space or for the purpose of the agistment of horses, or for purposes ancillary to public hospital, public health, public open space or horse agistment purposes, if directed to do so by the Minister.

- (2) The Foundation must, for public hospital or other public health purposes, for the purpose of public open space or for the purpose of the agistment of horses, or for purposes ancillary to public hospital, public health, public open space or horse agistment purposes, lease, or grant a licence of, part of land vested in the Foundation by section 18A, if directed to do so by the Minister.
- (3) The lease or licence may be granted for such public hospital, other public health, public open space, horse agistment or ancillary purposes as the Minister directs.
- (4) The Minister must not give a direction under this section unless the Minister is of the opinion that the lease or licence will not detrimentally affect the administration of, or the care of patients of, the Dame Eadith Walker Hospital or the Thomas Walker Convalescent Hospital.
- (5) The Central Sydney Area Health Service, any successor as trustee, and the Foundation have power to grant a lease or licence under this section, despite any other provision of this or any other Act or any trust affecting the land concerned.

19C Validation

- (1) The Central Sydney Area Health Service has, and is taken always to have had, power to agree to, and to allow, the Dame Eadith Walker Convalescent Hospital for Men to be used, in respect of any person, for the public health purpose of renal dialysis and ancillary purposes.

- (2) The trustee of the will and codicil of Thomas Walker deceased has, and is taken always to have had, power to pay and apply the part, or a portion of the part, of the balance of the charitable fund referred to in section 11 (ii) for the support and maintenance of the Dame Eadith Walker Convalescent Hospital for Men in its use, in respect of any person, for the purpose of renal dialysis and ancillary purposes.

[Minister's second reading speech made in—
Legislative Assembly on 24 September 1997
Legislative Council on 23 October 1997]