

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 2 July, 1936.

New South Wales.



ANNO PRIMO

EDWARDI VIII REGIS.

Act No. 34, 1936.

An Act to provide for the constitution of the Board of Directors of the Prince Henry Hospital; to vest certain property in and to confer and impose certain powers, authorities, duties and functions upon that Board; to amend the Public Hospitals Acts, 1929-1934, and certain other Acts; and for purposes connected therewith. [Assented to, 22nd July, 1936.]

BE 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:—

PART I.

PRELIMINARY.

1. (1) This Act may be cited as the "Prince Henry Hospital Act, 1936."

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.

Prince Henry Hospital.

(2) This Act shall commence on the first day of August, one thousand nine hundred and thirty-six.

Division
into Parts.

2. This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY—SS. 1-3.

PART II.—THE BOARD OF DIRECTORS OF THE PRINCE HENRY HOSPITAL—SS. 4-13.

PART III.—PROPERTY AND OFFICERS—SS. 14-18.

PART IV.—POWERS, AUTHORITIES, DUTIES AND FUNCTIONS OF THE BOARD—SS. 19-26.

PART V.—MISCELLANEOUS—SS. 27-35.

SCHEDULE.

Definitions.

3. In this Act, unless the context or subject-matter otherwise indicates or requires—

“Advisory committee” means the advisory committee constituted by this Act.

“Appointed director” means director appointed by the Governor.

“Board” means the Board of Directors of The Prince Henry Hospital.

“By-laws” means by-laws made under this Act.

“Commission” means the Hospitals Commission of New South Wales.

“Director” means a person appointed or elected in accordance with the provisions of this Act as a director of the hospital, and includes the Director-General of Public Health.

“Elected director” means director elected by the subscribers.

“Hospital” means The Prince Henry Hospital.

“Prescribed” means prescribed by this Act or by the by-laws or by the regulations.

“Regulations” means regulations made under this Act.

“Relief”

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“Relief” includes treatment or cure of or attention to any disease or ailment or any injury consequent on any accident, and also the maintenance and the provision of medical and surgical attention, medicines, surgical appliances, and nursing of any patient.

PART II.

THE BOARD OF DIRECTORS OF THE PRINCE HENRY HOSPITAL.

4. (1) There shall be constituted a Board which shall carry into effect the objects and purposes of this Act, and shall have and may exercise and perform the powers, authorities, duties and functions conferred or imposed upon the Board by or under this Act.

The Board of
Directors of
The Prince
Henry
Hospital.

(2) The Board shall be a body corporate with perpetual succession and a common seal, and shall, for the purposes and subject to the provisions of this Act, be capable of purchasing, holding, granting, devising, disposing of, or otherwise dealing with real and personal property, and of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

(3) The corporate name of the Board shall be the “Board of Directors of The Prince Henry Hospital.”

5. (1) The Board first constituted under this Act shall consist of fifteen directors, one of whom shall be the Director-General of Public Health and fourteen of whom shall be appointed by the Governor.

First consti-
tution of the
Board.

(2) Of the directors so appointed—

- (a) one shall be a member of the Commission who is not a member of the medical profession;
- (b) two shall be appointed on the nomination of the Senate of the University of Sydney;
- (c) one shall be appointed on the nomination of the Council of the Royal Australasian College of Surgeons;
- (d) one shall be appointed on the nomination of the Council of the Association of Physicians of Australasia;
- (e)

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- (e) one shall be appointed on the nomination of the New South Wales Post Graduate Committee in Medicine of the University of Sydney;
- (f) eight, who shall not be members of the medical profession, shall be appointed on the nomination of the Minister.

(3) The directors appointed to the Board under the authority of this section shall, subject to this Act, hold office until the first day of September, one thousand nine hundred and thirty-eight, and shall be eligible for re-appointment or for election as directors.

(4) The Governor shall appoint one of the directors, who shall not be a member of the medical profession, to be chairman and another of the directors to be the vice-chairman of the Board first constituted under this Act.

Constitution
of subse-
quent
Boards.

6. (1) On and from the first day of September, one thousand nine hundred and thirty-eight, the Board shall consist of fifteen directors, one of whom shall be the Director-General of Public Health, eight of whom shall be appointed by the Governor, and six of whom, who shall not be members of the medical profession, shall be elected by the subscribers.

(2) Of the directors so appointed—

- (a) one shall be a member of the Commission who is not a member of the medical profession;
- (b) two shall be appointed on the nomination of the Senate of the University of Sydney;
- (c) one shall be appointed on the nomination of the Council of the Royal Australasian College of Surgeons;
- (d) one shall be appointed on the nomination of the Council of the Association of Physicians of Australasia;
- (e) one shall be appointed on the nomination of the New South Wales Post Graduate Committee in Medicine of the University of Sydney;
- (f) two, who shall not be members of the medical profession, shall be appointed on the nomination of the Minister.

(3)

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(3) Elections of elected directors shall be held in the month of July or in the month of August in the year one thousand nine hundred and thirty-eight, and in each third year thereafter.

The persons elected at any such elections shall assume office as directors on the first day of September in the year in which they are elected.

(4) All such elections of elected directors shall be held and conducted in the manner prescribed by the by-laws.

(5) The directors appointed or elected shall, subject to this Act hold office for a period of three years, but shall be eligible for re-appointment or re-election.

(6) The chairman and vice-chairman of the Board shall be elected by the Board in the manner and within the time prescribed by the by-laws.

A member of the medical profession shall not be eligible to be elected or to hold office as chairman of the Board.

7. A director shall not be entitled to receive any salary, fee, allowance or remuneration for his services as a director.

Director not entitled to any remuneration for his services.

8. The provisions of the Public Service Act, 1902, or of any Act amending that Act, shall not apply to or in respect of the appointment of any appointed director, and an appointed director shall not be subject to the provisions of any such Act during his term of office.

Public Service Act, 1902, not to apply.

9. The office of an appointed director or of an elected director shall become vacant if the director appointed or elected thereto—

Vacation of office.

- (a) dies; or
- (b) resigns his office by notice in writing addressed to the Governor; or
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act of 1898; or
- (d) is absent, without the leave of the Board, from four consecutive ordinary meetings of the Board; or
- (e) is removed from office by the Governor; or
- (f) being an elected director, becomes disqualified for office; or
- (g) being a member of the Commission ceases to hold office as such.

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Power of
Governor to
remove from
office.

10. The Governor may, for any cause which appears to him to be sufficient, remove any appointed director or any elected director from office.

Casual
vacancies.

11. (1) Where a casual vacancy occurs in the office of any appointed or elected director, a director shall be appointed by the Governor or elected by the subscribers to fill the vacant office.

(2) (a) Where the casual vacancy occurs in the office of a member of the Commission appointed a director, the director appointed to fill the vacant office shall be a member of the Commission.

(b) Where the casual vacancy occurs in the office of an appointed director appointed on the nomination of one of the bodies referred to in paragraphs (b) to (e) both inclusive of subsection two of section five or in paragraphs (b) to (e) both inclusive of subsection two of section six of this Act, the director appointed to fill the vacant office shall be appointed on the nomination of the body by which his predecessor was nominated.

(c) Where the casual vacancy occurs in the office of any other appointed director the director appointed to fill the vacant office shall be appointed on the nomination of the Minister.

(d) Where the casual vacancy occurs in the office of an elected director, a director shall be elected by the subscribers to fill the vacant office:

Provided that where any such casual vacancy occurs within the last six months of the term of office of the elected directors, an election shall not be held unless the Minister authorises the holding of an election, and appoints a day therefor.

(3) All such elections of elected directors shall be held and conducted in the manner prescribed by the by-laws.

(4) Any director appointed or elected under the authority of this section shall subject to this Act hold office for the balance of his predecessor's term of office, but shall be eligible for re-appointment or re-election.

Subscribers
eligible to
hold office as
elected
directors.
of Act No. 8,
1929, s. 24.

12. (1) Subject to subsection two of this section any subscriber shall be eligible to hold office as an elected director. (2)

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(2) A subscriber shall be disqualified from holding office as an elected director if he is—

- (a) a minor;
- (b) a paid officer or employee of the hospital;
- (c) a person who has within the preceding ten years been convicted of any felony or indictable misdemeanour; or
- (d) an uncertificated bankrupt.

13. (1) No act or proceeding of the Board shall be invalidated or prejudiced by reason only of the fact that, at the time when such act or proceeding was done, taken or commenced, there was a vacancy in the office of any director.

Proceedings
of the
Board.

(2) The procedure for the calling of meetings of the Board, and for the conduct of business at such meetings shall, subject to any by-laws in relation thereto, be as determined by the Board.

(3) Eight directors shall form a quorum of the Board, and any duly convened meeting of the Board at which a quorum is present shall be competent to transact any business of the Board, and shall have all the powers and authority by this Act conferred upon the Board.

(4) At any meeting of the Board the chairman, or in his absence the vice-chairman, if present at the meeting, shall preside. If the chairman and vice-chairman are both absent from any meeting the directors present shall elect one of their number to preside at the meeting.

(5) At any meeting of the Board the decision of a majority of the directors present shall be the decision of the Board.

If at any meeting of the Board the directors present are equally divided in opinion upon any matter, the matter may be decided on the casting vote of the chairman or of the vice-chairman or director presiding at the meeting as the case may be.

(6) The Board may, by resolution, authorise the chairman or vice-chairman to determine such matters as are specified in the resolution. Any such resolution may from time to time be revoked or varied by resolution.

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PART III.

PROPERTY AND OFFICERS.

Vesting of
land
described in
Schedule.

14. (1) (a) So much of the land described in the Schedule of this Act as is not within the Portion referred to in paragraph (c) of this subsection is hereby vested in the Board for an estate in fee simple.

(b) The property, plant and equipment of the hospital in and upon the buildings erected upon the land referred to in paragraph (a) of this subsection, are hereby vested in the Board absolutely.

(c) So much of the land described in the Schedule to this Act as is within Portion M.L.2 of 8 acres, Parish of Botany, County of Cumberland, shown on plan catalogued M.19406 in the Department of Mines, shall, upon the publication by the Governor in the Gazette of a notice that the interest of the holder for the time being of the lease of that Portion under the Mining Act, 1906-1935, in force at the commencement of this Act or of any renewal of such lease granted under the Mining Act, 1906-1935, has determined, vest in the Board for an estate in fee simple.

(2) Nothing in this section shall affect—

- (a) the operation of the proclamations issued under the Leprosy Act of 1890 and published in Gazette number forty-one of sixteenth day of January, one thousand eight hundred and ninety-one, and Gazette number five hundred and twenty-seven of the twenty-fourth day of July, one thousand eight hundred and ninety-three, setting apart as a lazaret portions of the land so vested; or
- (b) any order or notice issued or action taken under the provisions of Division 4 of Part III of the Public Health Act, 1902-1932.

(3) It shall not be lawful for the Board to sell, convey, demise, mortgage or in any other way whatsoever dispose of any land vested in it by this Act, or
granted

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granted to it by the Crown after the commencement of this Act, except with the approval of the Governor given on the recommendation of the Commission.

15. (1) All persons who, immediately before the commencement of this Act, were attached to the staff of the hospital, and were officers and employees within the meaning of the Public Service Act, 1902, shall be transferred to and shall be deemed to have been appointed by the Board as officers and employees of the Board.

Transfer of
officers.
cf. Act No.
47, 1935,
s. 14.

The persons so transferred shall continue in the employ of the Board at the will of the Board only.

(2) Any person so transferred shall retain any accrued or accruing rights including the right to contribute to any fund or account and to receive any annual, sick, deferred or extended leave, and any payment, pension or gratuity, as if he had remained an officer or employee within the meaning of the Public Service Act, 1902, or the Superannuation Act, 1916-1935, or any Act amending those Acts, as the case may be, and for any such purpose his service as an officer or employee of the Board shall be deemed to be service for the purpose of any such Act.

(3) No person so transferred shall be entitled to claim benefits under this Act as well as under any other Act for the same period of service.

(4) Where any condition of employment of any person so transferred is at the date of his transfer regulated by an award or industrial agreement, such condition shall continue to be so regulated until an award by which the Board is bound is made by a court of competent jurisdiction or such condition is regulated by an industrial agreement to which the Board is a party.

(5) For the purposes of the Superannuation Act, 1916-1935, any officer or employee transferred to the Board under this section shall not be deemed to be an employee of the Board, but shall be deemed to have continued to be an officer or employee as the case may be of the Public Service.

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(6) At any time within twelve months after the commencement of this Act any officer or employee who has been transferred to the Board by this Act may, at the discretion of the Public Service Board and with the consent of such officer or employee, be re-transferred to any office in the Public Service.

(7) Where any officer or employee is so re-transferred to the Public Service, his service as an officer or employee of the Board shall, for all purposes, be deemed to have been service as an officer or employee in the Public Service.

Appoint-
ment of
officers and
employees.
cf. Act No.
47, 1935,
s. 15.

16. (1) The Board shall appoint and employ such officers and employees as may be necessary for carrying out the provisions of this Act.

(2) The officers and employees so appointed and employed shall continue in the employ of the Board at the will of the Board only.

(3) Such persons so to be appointed, and all persons transferred to the Board under section fifteen of this Act shall be subject to the sole control and governance of the Board.

(4) The by-laws may make provision for the regulation and control of the officers and employees of the Board.

Honorary
medical
officers.

17. (1) The persons who immediately before the commencement of this Act held office as honorary medical officers of the hospital shall be deemed to have been appointed under this Act as honorary medical officers of the hospital, but shall cease to hold office on the expiration of a period of twelve months from the commencement of this Act and shall be eligible for re-appointment under this Act.

(2) The honorary medical officers of the hospital—

- (a) shall be appointed by the Board;
- (b) shall hold office for a period of three years from the date of appointment; and
- (c) shall be eligible for re-appointment.

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18. (1) The following persons shall be associate honorary medical officers of the hospital, namely:—

Associate
honorary
medical
officers.

(a) every person who for the time being—

(i) is a professor or teacher in any of the subjects of the curriculum of the Faculty of Medicine in the University of Sydney; or

(ii) is a person approved by the Senate of the University of Sydney for the purpose of giving post-graduate teaching in medicine; and

(b) such other persons whether or not honorary medical officers of the hospital as the Board may, on the recommendation of the advisory committee appoint as associate honorary medical officers.

(2) The persons referred to in paragraph (b) of subsection one of this section shall be appointed for such period as the Board may, on the recommendation of the advisory committee, determine, and shall be eligible for reappointment.

(3) The associate honorary medical officers shall be available for consultation and shall be the persons to engage in post-graduate teaching and shall be permitted to engage in research work and in such other medical or scientific work as the Board, on the recommendation of the advisory committee, may determine.

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PART IV.

POWERS, AUTHORITIES, DUTIES AND FUNCTIONS OF
THE BOARD.

Hospital to
be governed
and man-
aged by the
Board

19. The hospital shall be governed and managed by the Board, and shall be conducted and maintained as a hospital for the relief of public, private and intermediate patients and for such other purposes as are prescribed by this Act or by the regulations.

Special accom-
modation to be
provided for
infectious cases.

20. It shall be a primary duty of the Board to make available at all times not less than three hundred beds for the treatment of infectious diseases.

Special pro-
vision to be
made for
lepers.

21. (1) The Board shall maintain and shall provide all necessary medical attention for those persons removed to and detained or isolated at the hospital by the Board of Health in accordance with Division 4 of Part III of the Public Health Act, 1902-1932, and the regulations made thereunder.

(2) The actual expenses incurred by the Board in complying with this section shall be computed on a basis to be agreed upon between the Minister and the Board, and shall be paid to the Board out of moneys provided by Parliament.

Board may
invest
funds.
cf. Act No.
8, 1929,
s. 29.

22. (1) The Board may invest in manner prescribed in the Trustee Act, 1925, or in any investment in which the board of an incorporated hospital is by regulation made under the Public Hospitals Acts, 1929-1934, authorised to invest the funds of its hospital, any funds of the hospital, or any moneys given or bequeathed to or arising from any gift of real or personal property to the hospital and may from time to time vary the investments.

(2) The Board may, subject to any trust to the contrary or to any condition of any gift, devise or bequest, at any time dispose of any of its investments and apply the proceeds for the purposes of the hospital.

23.

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23. (1) The Board shall have power to acquire by gift, devise or bequest any property for any of the purposes of this Act, and to agree to the conditions of any such gift, devise or bequest.

Power to accept gifts, etc.

(2) The rule of law relating to perpetuities shall not apply to any condition of a gift, devise or bequest to which the Board has agreed.

Rule against perpetuities not to apply to certain conditions. cf. 17 and 18 Geo. V, c. 41, s. 8.

24. (1) The Board may, with the approval of the Governor, acquire land for the purposes of the hospital by appropriation or resumption.

Resumption of land. cf. Act No. 8, 1929, s. 29A.

(2) Where the Board proposes to acquire land by appropriation or resumption it may apply to the Governor through the Minister.

(3) The Board shall make provision to the satisfaction of the Governor for the payment of compensation for the land together with interest and all necessary charges and expenses incidental to the appropriation or resumption.

(4) The Governor may authorise the appropriation or resumption of the land.

(5) Thereupon the Governor may—

(a) appropriate or resume the land by Gazette notification under Division 1 of Part V of the Public Works Act, 1912; and

(b) notify that the land is vested in the Board.

(6) Thereupon the land shall vest in the Board.

(7) For the purposes of the Public Works Act, 1912, such appropriation or resumption shall be deemed to be for the purpose of carrying out an authorised work within the meaning of that Act.

(8) In this section "land" means land in fee simple whether vacant or built upon or any easement right or privilege in, over or affecting land.

25. The Board shall make such provision as may be necessary or desirable to enable post-graduate teaching and research work in medicine to be carried out in the hospital by or under the authority of the University of Sydney.

Post-graduate teaching.

26.

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Training
schools.

26. The Board may, if it thinks fit, make such provision as may be necessary or desirable to enable the training of medical superintendents, hospital managers, hospital secretaries, hospital matrons, nurses, masseurs, almoners, dietitians, X-ray technicians, or pathological technicians to be carried out.

PART V.

MISCELLANEOUS.

Advisory
committee.

27. (1) There shall be an advisory committee which shall consist of eight members of whom—

- (a) four shall be directors of the hospital and shall be appointed by the Board; and
- (b) four shall be appointed by the Senate of the University of Sydney.

(2) The advisory committee shall consider and make recommendations to the Board for or with respect to—

- (a) the appointment of associate honorary medical officers;
- (b) the co-ordination of the work of the hospital with the conduct of post-graduate teaching and research work in medicine carried out in the hospital by or under the authority of the University of Sydney;
- (c) such other matters or class of matters as may be prescribed by the regulations.

(3) The members of the advisory committee shall hold office for a term of three years and shall be eligible for reappointment.

(4)

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(4) The quorum at any meeting of the advisory committee shall be—

- (a) where the business of the meeting relates to the appointment of honorary medical officers or associate honorary medical officers—six members, of whom three shall be members appointed by the Board and three shall be members appointed by the Senate of the University of Sydney;
- (b) in any other case—four members.

(5) If any casual vacancy occurs in the office of any member of the advisory committee by death, resignation or otherwise the vacancy may be filled—

- (a) in the case of a member who was a director of the hospital—by the appointment of a director of the hospital by the Board;
- (b) in any other case—by the appointment of some person by the Senate of the University of Sydney.

The member so appointed shall hold office for the balance of his predecessor's term of office.

(6) In the case of the absence or illness of any member of the advisory committee a deputy may be appointed—

- (a) in the case of a member who is a director of the hospital—by the Board;
- (b) in any other case—by the Senate of the University of Sydney.

Every such deputy shall have, while he acts as deputy, all the powers and authorities of a member of the advisory committee.

(7) The procedure for the calling of meetings and for the conduct of business at meetings of the advisory committee shall, subject to any regulations made in relation thereto, be as determined by the advisory committee.

28. All unclaimed money or valuables of patients who die in the hospital shall be the property of the Board and shall form a distinct and separate fund to be called the Samaritan Fund, which fund shall be managed and disposed of in the manner provided by the by-laws for the benefit of the necessitous outgoing patients.

Samaritan
Fund.
cf. Act No.
52, 1902,
s. 18.

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Power to
vest control
of hospital
in Crown.

29. (1) Where it appears to the Board of Health that by reason of any emergency or of the occurrence of any epidemic, conditions have arisen which render it necessary or desirable in the public interest that the control of the hospital or of any part thereof should be vested in the Crown, or that the period for which any such control has been so vested should be extended, it may so certify to the Minister.

(2) Where any such certificate has been given the Minister may request the Board to give an undertaking that it will govern and manage or continue to govern and manage the hospital or the part thereof referred to in the certificate, for any specified period not exceeding six months, under and subject to the instructions of the Director-General of Public Health.

(3) If the Board neglects or fails to give such undertaking within a time limited by the Minister, or if after having given such undertaking it neglects or fails to comply with any instruction of the Director-General of Public Health the Governor may, by proclamation published in the Gazette, divest from the Board and vest in the Director-General of Public Health, the government and management of the hospital or of any specified part thereof for the period, not exceeding six months, specified in the proclamation.

(4) The Governor may revoke any such proclamation by proclamation published in the Gazette.

(5) While any proclamation under subsection three of this section remains in force the Director-General of Public Health shall, for all purposes of or arising out of this Act constitute the body corporate created by section four of this Act.

(6) Where a certificate of the Board of Health has been given under subsection one of this section the Board, while acting under and subject to the instructions of the Director-General of Public Health, during any period in respect of which it has given the undertaking referred to in subsection two of this section, or the Director-General of Public Health during any period for which the government and management of the hospital is vested in him,
may,

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may, notwithstanding anything contained in this Act, conduct and maintain the hospital in such manner and for such purposes as the Director-General of Public Health may think fit.

30. A general meeting of the subscribers shall be held upon a date to be appointed by the Board in the month of August in the year one thousand nine hundred and thirty-seven and in each succeeding year, at which the annual report and balance-sheet of the hospital for the year ending on the thirtieth day of June last preceding the date of the meeting shall be presented.

General
meeting of
subscribers.

31. (1) The following persons shall be deemed to be subscribers:—

Subscribers.
cf. Act No. 8,
1929, s. 21.

(a) Any life member: A person who becomes a life member shall be deemed to be a subscriber as and from the date at which he becomes a life member.

(b) Any person who in any year between the first day of July and the thirtieth day of June next following has contributed to the funds of the hospital otherwise than by way of payment for relief received or which might be received by him or his dependants a sum of not less than ten shillings in one sum.

Such person shall be deemed to be a subscriber for twelve months from the first day of July preceding the payment of his subscription.

(c) Any person nominated in the manner prescribed by the by-laws by any firm or corporation or association of persons which contributes to the funds of the hospital.

Nominations shall be made in accordance with the following provisions:—

(i) Where the sum contributed exceeds two pounds and does not exceed fifty pounds, one person may be nominated;

(ii) Where the sum contributed exceeds fifty pounds, but does not exceed one hundred pounds, two persons may be nominated;

(iii)

Prince Henry Hospital.

- (iii) Where the sum contributed exceeds one hundred pounds, but does not exceed two hundred pounds, three persons may be nominated;
 - (iv) For every one hundred pounds, or part thereof in excess of two hundred pounds contributed, one additional person may be nominated.
- (d) Any person nominated in the manner prescribed by the by-laws by the promoters of any entertainment, sports meeting, carnival, or the like, held for raising funds for the hospital.

Nominations shall be made in accordance with the following provisions:—

- (i) Where the sum contributed exceeds fifty pounds and does not exceed one hundred pounds, one person may be nominated;
 - (ii) Where the sum contributed exceeds one hundred pounds, but does not exceed two hundred pounds, two persons may be nominated;
 - (iii) Where the sum contributed exceeds two hundred pounds, three persons may be nominated.
- (e) Any person nominated in the manner prescribed by the by-laws by the governing body of any association acting, with the consent of the Board of the hospital, as an auxiliary to the hospital.

Nominations shall be made in accordance with the following provisions:—

- (i) Where the sum raised by the auxiliary and paid to the hospital exceeds two pounds and does not exceed fifty pounds, one person may be nominated;
- (ii) Where the sum raised by the auxiliary and paid to the hospital exceeds fifty pounds and does not exceed one hundred pounds, two persons may be nominated;
- (iii)

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- (iii) Where the sum raised by the auxiliary and paid to the hospital exceeds one hundred pounds and does not exceed two hundred pounds, three persons may be nominated;
- (iv) For every one hundred pounds or part thereof in excess of two hundred pounds raised by the auxiliary and paid to the hospital, one additional person may be nominated.

(2) Nominations may be made only in respect of sums contributed in any year between the first day of July and the thirtieth day of June next following.

Any person so nominated shall be deemed to be a subscriber for the period of twelve months from the first day of July preceding the date of his nomination.

(3) A contributor to the Metropolitan Hospitals Contribution Fund of New South Wales shall be deemed to be a subscriber to The Prince Henry Hospital if he so elects, provided that no such election shall be made until the contributor has made contributions to the fund to the amount of not less than ten shillings in the hospital year.

When any such contributor elects to be deemed a subscriber to the hospital he shall not be entitled to exercise the right of selection conferred by subsection (2A) of section twenty-one of the Public Hospitals Acts, 1929-1934, and where he has exercised such right of selection he shall not be entitled to make an election under this subsection.

(4) A person who was a subscriber to the hospital during the year ending on the thirtieth day of June immediately preceding the date upon which an election of directors is to be held shall for all purposes of or relating to such election be deemed to be a subscriber.

(5) (a) Any person may become a life member of the hospital if he contributes to the funds of the hospital otherwise than by way of payment for the relief received by him or his dependants, ten pounds at the least in one sum.

(b)

Prince Henry Hospital.

(b) The Board may appoint as a life member of the hospital any person who has rendered meritorious service to or in connection with the hospital either before or after the commencement of this Act.

Amendment of
Act No. 8,
1929.
Third Schedule.

32. The Public Hospitals Acts, 1929-1934, is amended by adding to the Third Schedule thereof the name of The Prince Henry Hospital.

Fees in
respect of
post-
graduate
teaching.

33. The fees to be paid in connection with post-graduate teaching in medicine carried out in the hospital by or under the authority of the University of Sydney shall be fixed by the Senate of that University, and shall be payable to the University of Sydney.

By-laws.

34. (1) The Board may, with the approval of the Governor, given on the recommendation of the Commission, make by-laws not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed by the by-laws and in particular without prejudice to the generality of the foregoing power may make by-laws:—

- (a) regulating the procedure for the receipt of nominations and for the election of elected directors;
- (b) regulating the times and modes of meetings of the Board and of transacting business at such meetings;
- (c) prescribing the manner in which the chairman and vice-chairman of the Board shall be elected and providing for the appointment of sub-committees of the hospital;
- (d) for or with respect to the appointment of the honorary medical officers and for or with respect to the publication of advertisements setting out the vacancies which exist and the person with whom and the time within which applications for appointment to fill any such vacancy may be made;
- (e) fixing the amounts to be demanded for maintenance, attendance or relief in respect of public, intermediate and private patients;
- (f)

Prince Henry Hospital.

- (f) generally for the management and government of visitors and patients;
- (g) fixing the fees to be charged with respect to the training of medical superintendents, hospital managers, hospital secretaries, hospital matrons, nurses, masseurs, almoners, dietitians, X-ray technicians, or pathological technicians;
- (h) fixing penalties not exceeding two pounds for any breach thereof.

(2) A copy of the by-laws sealed with the seal of the body corporate and purporting to be certified by the secretary of the hospital as being correct, shall, saving all just exceptions, be received in all Courts as conclusive evidence of the by-laws in force at the date of the certificate.

35. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed by the regulations or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular and without prejudice to the generality of the foregoing power may make regulations for or with respect to—

Regulations.

- (a) the matters which may be referred to the advisory committee for consideration and recommendation, and generally the powers, authorities, duties and functions which may be exercised and performed by the advisory committee;
- (b) all matters relating to the conduct of post-graduate teaching or research work in the hospital carried on by or under the authority of the University of Sydney.

(2) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof

Prince Henry Hospital.

thereof if Parliament is then in session, and if not then within fourteen sitting days after the commencement of the next session.

(3) 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 or part thereof, such regulation or part shall thereupon cease to have effect.

Sec. 14.

SCHEDULE.

All that piece or parcel of land situated in the Parish of Botany, County of Cumberland, Municipality of Randwick, containing an area of two hundred and forty-one acres: Commencing on the shore of the South Pacific Ocean at a point marked on rock being the south-east corner of portion six hundred and twelve of sixty-two acres two roods dedicated for Public Recreation and Public Baths by Gazette notice of twenty-first December, one thousand nine hundred and ten, and bounded thence on the north by a line in part forming the southern boundary of portion six hundred and twelve bearing west in all sixty-nine chains ninety-one and thirty-nine one-hundredths links to the north-eastern side of Anzac Parade; thence on the south-west by that side of Anzac Parade, being lines bearing respectively one hundred and seventy-one degrees fifty-four minutes fifty seconds three hundred and five and forty-six one-hundredths links; one hundred and sixty-nine degrees fifty minutes thirty seconds one hundred and fourteen and ninety-five one-hundredths links, one hundred and sixty-four degrees fifty-seven minutes forty seconds one hundred and fifteen and one-hundredth links, one hundred and sixty degrees four minutes fifty seconds one hundred and fourteen and ninety-five one-hundredths links, one hundred and fifty-six degrees one minute forty-five seconds eighty-five and eight one-hundredths links, one hundred and fifty-two degrees fourteen minutes forty-five seconds eighty-nine and seventy-one one-hundredths links; one hundred and forty-eight degrees nine minutes forty-five seconds eighty-nine and ninety-four one-hundredths links, one hundred and forty-four degrees thirty-three minutes twenty-five seconds ninety-two and fifty-three one-hundredths links, one hundred and forty-two degrees twenty-three minutes five seconds five hundred and eighty-six and sixty-three one-hundredths links, one hundred and thirty-nine degrees fifty-seven minutes forty-five seconds one hundred and twenty-one and nine-tenths links, one hundred and thirty-five degrees seven minutes fifteen seconds one hundred and twenty-one
and

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and ninety-three one-hundredths links, one hundred and thirty degrees sixteen minutes forty-five seconds one hundred and twenty-one and nine-tenths links, one hundred and twenty-five degrees twelve minutes fifty seconds fifty-four and seventy-five one-hundredths links; one hundred and twenty-nine degrees five minutes one hundred and twenty-four and three-tenths links; one hundred and thirty-six degrees forty-nine minutes one hundred and twenty-four and three-tenths links; one hundred and forty-four degrees thirty-three minutes twenty seconds one hundred and twenty-four and three-tenths links; one hundred and fifty-two degrees seventeen minutes thirty seconds one hundred and twenty-four and three-tenths links; one hundred and fifty-six degrees nine minutes forty seconds four hundred and forty-nine and thirty-five one-hundredths links; one hundred and sixty-six degrees thirty-seven minutes thirty seconds one hundred and fifty-four and thirty-five one-hundredths links; one hundred and eighty-five degrees thirty-two minutes eighty-nine and fifty-two one hundredths links; one hundred and ninety-six degrees fifty-seven minutes eighty-nine and fifty-two one-hundredths links; two hundred and two degrees forty-seven minutes forty-five seconds six hundred and fifty-four and twenty-five one-hundredths links; two hundred and eight degrees five minutes one hundred and thirty-six and twenty-three one-hundredths links; two hundred and sixteen degrees eighteen minutes twenty seconds one hundred and thirty-six and twenty-three one-hundredths links; two hundred and twenty-four degrees thirty-one minutes forty seconds one hundred and thirty-six and twenty-three one-hundredths links, and two hundred and thirty-two degrees forty-five minutes one hundred and thirty-six and twenty-three one-hundredths links; thence again by lines bearing one hundred and ninety-nine degrees twenty-nine minutes thirty seconds one thousand two hundred and fifty-seven and two one-hundredths links to a bolt in rock; thence again by lines bearing ninety-two degrees thirty-four minutes one thousand four hundred and seventy-six and five-tenths links; one hundred and ninety-eight degrees fourteen minutes twenty seconds four hundred and eighty-one and seventy-two one-hundredths links; eighty-seven degrees thirty-eight minutes eight hundred and seventy and forty-eight one-hundredths links; three degrees fourteen minutes forty-five seconds three hundred and eighty-eight and ninety-two one-hundredths links; ninety-two degrees thirty-four minutes two thousand three hundred and fifty-five and seventy-five one-hundredths links, and one hundred and three degrees fifty minutes four hundred and eighty-nine and twenty-four one-hundredths links to a broadarrow mark on rock on the shore of the South Pacific Ocean; thence by that shore of that ocean northerly to the point of commencement, shown on plan Ms. 9,065 Sy. Roll in the Department of Lands, Sydney.

*In the name and on behalf of His Majesty I assent
to this Act.*

P. W. STREET,
Lieutenant-Governor.

*Government House,
Sydney, 22nd July, 1936.*

PRINCE HENRY HOSPITAL BILL.

Schedule of Amendments referred to in Message of 1st July, 1936.

- No. 1.**—Page 2, clause 1, line 2. *Omit “July” insert “August”*
- No. 2.**—Page 10, clause 15, lines 3 and 4. *Omit “and who has been retained in the employ of the Board”*
- No. 3.**—Page 11, clause 18, line 15. *After “persons” insert “whether or not honorary medical officers of the hospital”*
- No. 4.**—Page 11, clause 18, lines 25 and 26. *Omit “permitted to engage in teaching or research work or” insert “the persons to engage in post-graduate teaching and shall be permitted to engage in research work and”*
-

ERIKSON HISTORY

Summary of the work of the

- No. 1—Page 2, 1900
- No. 2—Page 10, 1901
- No. 3—Page 11, 1902
- No. 4—Page 12, 1903

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 23 June, 1936.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

C. H. H. CALVERT,
Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 1st July, 1936.

New South Wales.



ANNO PRIMO

EDWARDI VIII REGIS.

Act No. , 1936.

An Act to provide for the constitution of the Board of Directors of the Prince Henry Hospital; to vest certain property in and to confer and impose certain powers, authorities, duties and functions upon that Board; to amend the Public Hospitals Acts, 1929-1934, and certain other Acts; and for purposes connected therewith.

BE 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
5 the same, as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be cited as the "Prince Henry Short title. Hospital Act, 1936."

215 76—A

(2)

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Prince Henry Hospital.

(2) This Act shall commence on the first day of ~~July~~, **August**, one thousand nine hundred and thirty-six.

2. This Act is divided into Parts, as follows:—

Division
into Parts.

PART I.—PRELIMINARY—ss. 1-3.

5 PART II.—THE BOARD OF DIRECTORS OF THE PRINCE
HENRY HOSPITAL—ss. 4-13.

PART III.—PROPERTY AND OFFICERS—ss. 14-18.

PART IV.—POWERS, AUTHORITIES, DUTIES AND FUNC-
TIONS OF THE BOARD—ss. 19-26.

10 PART V.—MISCELLANEOUS—ss. 27-35.

SCHEDULE.

3. In this Act, unless the context or subject-matter otherwise indicates or requires—

15 “Advisory committee” means the advisory commit-
tee constituted by this Act.

“Appointed director” means director appointed by
the Governor.

“Board” means the Board of Directors of The Prince
Henry Hospital.

20 “By-laws” means by-laws made under this Act.

“Commission” means the Hospitals Commission of
New South Wales.

25 “Director” means a person appointed or elected in
accordance with the provisions of this Act as
a director of the hospital, and includes the
Director-General of Public Health.

“Elected director” means director elected by the
subscribers.

“Hospital” means The Prince Henry Hospital.

30 “Prescribed” means prescribed by this Act or by
the by-laws or by the regulations.

“Regulations” means regulations made under this
Act.

“Relief”

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5 "Relief" includes treatment or cure of or attention to any disease or ailment or any injury consequent on any accident, and also the maintenance and the provision of medical and surgical attention, medicines, surgical appliances, and nursing of any patient.

PART II.

THE BOARD OF DIRECTORS OF THE PRINCE HENRY HOSPITAL.

- 10 4. (1) There shall be constituted a Board which shall carry into effect the objects and purposes of this Act, and shall have and may exercise and perform the powers, authorities, duties and functions conferred or imposed upon the Board by or under this Act. The Board of Directors of The Prince Henry Hospital.
- 15 (2) The Board shall be a body corporate with perpetual succession and a common seal, and shall, for the purposes and subject to the provisions of this Act, be capable of purchasing, holding, granting, devising, disposing of, or otherwise dealing with real and personal
- 20 property, and of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.
- (3) The corporate name of the Board shall be the "Board of Directors of The Prince Henry Hospital."
- 25 5. (1) The Board first constituted under this Act shall consist of fifteen directors, one of whom shall be the Director-General of Public Health and fourteen of whom shall be appointed by the Governor. First constitution of the Board.
- (2) Of the directors so appointed—
- 30 (a) one shall be a member of the Commission who is not a member of the medical profession;
- (b) two shall be appointed on the nomination of the Senate of the University of Sydney;
- (c) one shall be appointed on the nomination of the Council of the Royal Australasian College of Surgeons;
- 35 (d) one shall be appointed on the nomination of the Council of the Association of Physicians of Australasia;
- (e)

Prince Henry Hospital.

(e) one shall be appointed on the nomination of the New South Wales Post Graduate Committee in Medicine of the University of Sydney;

5 (f) eight, who shall not be members of the medical profession, shall be appointed on the nomination of the Minister.

(3) The directors appointed to the Board under the authority of this section shall, subject to this Act, hold office until the first day of September, one thousand nine hundred and thirty-eight, and shall be eligible for re-
10 appointment or for election as directors.

(4) The Governor shall appoint one of the directors, who shall not be a member of the medical profession, to be chairman and another of the directors to be
15 the vice-chairman of the Board first constituted under this Act.

6. (1) On and from the first day of September, one thousand nine hundred and thirty-eight, the Board shall consist of fifteen directors, one of whom shall be the
20 Director-General of Public Health, eight of whom shall be appointed by the Governor, and six of whom, who shall not be members of the medical profession, shall be elected by the subscribers.

Constitution of subsequent Boards.

(2) Of the directors so appointed—

25 (a) one shall be a member of the Commission who is not a member of the medical profession;

(b) two shall be appointed on the nomination of the Senate of the University of Sydney;

30 (c) one shall be appointed on the nomination of the Council of the Royal Australasian College of Surgeons;

(d) one shall be appointed on the nomination of the Council of the Association of Physicians of Australasia;

35 (e) one shall be appointed on the nomination of the New South Wales Post Graduate Committee in Medicine of the University of Sydney;

40 (f) two, who shall not be members of the medical profession, shall be appointed on the nomination of the Minister.

(3)

Prince Henry Hospital.

(3) Elections of elected directors shall be held in the month of July or in the month of August in the year one thousand nine hundred and thirty-eight, and in each third year thereafter.

5 The persons elected at any such elections shall assume office as directors on the first day of September in the year in which they are elected.

(4) All such elections of elected directors shall be held and conducted in the manner prescribed by the by-
10 laws.

(5) The directors appointed or elected shall, subject to this Act hold office for a period of three years, but shall be eligible for re-appointment or re-election.

(6) The chairman and vice-chairman of the Board
15 shall be elected by the Board in the manner and within the time prescribed by the by-laws.

A member of the medical profession shall not be eligible to be elected or to hold office as chairman of the Board.

7. A director shall not be entitled to receive any salary,
20 fee, allowance or remuneration for his services as a director.

Director not entitled to any remuneration for his services.

8. The provisions of the Public Service Act, 1902, or of any Act amending that Act, shall not apply to or in respect of the appointment of any appointed director,
25 and an appointed director shall not be subject to the provisions of any such Act during his term of office.

Public Service Act, 1902, not to apply.

9. The office of an appointed director or of an elected director shall become vacant if the director appointed or elected thereto—

Vacation of office.

- 30 (a) dies; or
- (b) resigns his office by notice in writing addressed to the Governor; or
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act of 1898; or
- 35 (d) is absent, without the leave of the Board, from four consecutive ordinary meetings of the Board; or
- (e) is removed from office by the Governor; or
- 40 (f) being an elected director, becomes disqualified for office; or
- (g) being a member of the Commission ceases to hold office as such.

10.

Prince Henry Hospital.

10. The Governor may, for any cause which appears to him to be sufficient, remove any appointed director or any elected director from office.

Power of Governor to remove from office.

11. (1) Where a casual vacancy occurs in the office of any appointed or elected director, a director shall be appointed by the Governor or elected by the subscribers to fill the vacant office.

Casual vacancies.

(2) (a) Where the casual vacancy occurs in the office of a member of the Commission appointed a director, the director appointed to fill the vacant office shall be a member of the Commission.

(b) Where the casual vacancy occurs in the office of an appointed director appointed on the nomination of one of the bodies referred to in paragraphs (b) to (e) both inclusive of subsection two of section five or in paragraphs (b) to (e) both inclusive of subsection two of section six of this Act, the director appointed to fill the vacant office shall be appointed on the nomination of the body by which his predecessor was nominated.

(c) Where the casual vacancy occurs in the office of any other appointed director the director appointed to fill the vacant office shall be appointed on the nomination of the Minister.

(d) Where the casual vacancy occurs in the office of an elected director, a director shall be elected by the subscribers to fill the vacant office:

Provided that where any such casual vacancy occurs within the last six months of the term of office of the elected directors, an election shall not be held unless the Minister authorises the holding of an election, and appoints a day therefor.

(3) All such elections of elected directors shall be held and conducted in the manner prescribed by the by-laws.

(4) Any director appointed or elected under the authority of this section shall subject to this Act hold office for the balance of his predecessor's term of office, but shall be eligible for re-appointment or re-election.

12. (1) Subject to subsection two of this section any subscriber shall be eligible to hold office as an elected director.

Subscribers eligible to hold office as elected directors. cf. Act No. 8, 1929, s. 24.

(2)

Prince Henry Hospital.

(2) A subscriber shall be disqualified from holding office as an elected director if he is—

(a) a minor;

(b) a paid officer or employee of the hospital;

5 (c) a person who has within the preceding ten years been convicted of any felony or indictable misdemeanour; or

(d) an uncertificated bankrupt.

13. (1) No act or proceeding of the Board shall be
15 invalidated or prejudiced by reason only of the fact that, at the time when such act or proceeding was done, taken or commenced, there was a vacancy in the office of any director.

Proceedings
of the
Board.

(2) The procedure for the calling of meetings of
15 the Board, and for the conduct of business at such meetings shall, subject to any by-laws in relation thereto, be as determined by the Board.

(3) Eight directors shall form a quorum of the Board, and any duly convened meeting of the Board at
20 which a quorum is present shall be competent to transact any business of the Board, and shall have all the powers and authority by this Act conferred upon the Board.

(4) At any meeting of the Board the chairman,
25 or in his absence the vice-chairman, if present at the meeting, shall preside. If the chairman and vice-chairman are both absent from any meeting the directors present shall elect one of their number to preside at the meeting.

(5) At any meeting of the Board the decision of a
30 majority of the directors present shall be the decision of the Board.

If at any meeting of the Board the directors present are equally divided in opinion upon any matter, the matter may be decided on the casting vote of the chair-
35 man or of the vice-chairman or director presiding at the meeting as the case may be.

(6) The Board may, by resolution, authorise the chairman or vice-chairman to determine such matters as are specified in the resolution. Any such resolution
40 may from time to time be revoked or varied by resolution.

Prince Henry Hospital.

PART III.

PROPERTY AND OFFICERS.

14. (1) (a) So much of the land described in the Schedule of this Act as is not within the Portion referred to in paragraph (c) of this subsection is hereby vested in the Board for an estate in fee simple. Vesting of land described in Schedule.

(b) The property, plant and equipment of the hospital in and upon the buildings erected upon the land referred to in paragraph (a) of this subsection, are hereby vested in the Board absolutely.

(c) So much of the land described in the Schedule to this Act as is within Portion M.L.2 of 8 acres, Parish of Botany, County of Cumberland, shown on plan catalogued M.19406 in the Department of Mines, shall, upon the publication by the Governor in the Gazette of a notice that the interest of the holder for the time being of the lease of that Portion under the Mining Act, 1906-1935, in force at the commencement of this Act or of any renewal of such lease granted under the Mining Act, 1906-1935, has determined, vest in the Board for an estate in fee simple.

(2) Nothing in this section shall affect—

(a) the operation of the proclamations issued under the Leprosy Act of 1890 and published in Gazette number forty-one of sixteenth day of January, one thousand eight hundred and ninety-one, and Gazette number five hundred and twenty-seven of the twenty-fourth day of July, one thousand eight hundred and ninety-three, setting apart as a lazaret portions of the land so vested; or

(b) any order or notice issued or action taken under the provisions of Division 4 of Part III of the Public Health Act, 1902-1932.

(3) It shall not be lawful for the Board to sell, convey, demise, mortgage or in any other way whatsoever dispose of any land vested in it by this Act, or granted

Prince Henry Hospital.

granted to it by the Crown after the commencement of this Act, except with the approval of the Governor given on the recommendation of the Commission.

15. (1) All persons who, immediately before the commencement of this Act, were attached to the staff of the hospital, and were officers and employees within the meaning of the Public Service Act, 1902, shall be transferred to and shall be deemed to have been appointed by the Board as officers and employees of the Board.

Transfer of officers.
cf. Act No. 47, 1935, s. 14.

10 The persons so transferred shall continue in the employ of the Board at the will of the Board only.

(2) Any person so transferred shall retain any accrued or accruing rights including the right to contribute to any fund or account and to receive any annual, sick, deferred or extended leave, and any payment, pension or gratuity, as if he had remained an officer or employee within the meaning of the Public Service Act, 1902, or the Superannuation Act, 1916-1935, or any Act amending those Acts, as the case may be, and for any such purpose his service as an officer or employee of the Board shall be deemed to be service for the purpose of any such Act.

(3) No person so transferred shall be entitled to claim benefits under this Act as well as under any other Act for the same period of service.

(4) Where any condition of employment of any person so transferred is at the date of his transfer regulated by an award or industrial agreement, such condition shall continue to be so regulated until an award by which the Board is bound is made by a court of competent jurisdiction or such condition is regulated by an industrial agreement to which the Board is a party.

(5) For the purposes of the Superannuation Act, 1916-1935, any officer or employee transferred to the Board under this section shall not be deemed to be an employee of the Board, but shall be deemed to have continued to be an officer or employee as the case may be of the Public Service.

(6)

Prince Henry Hospital.

(6) At any time within twelve months after the commencement of this Act any officer or employee who has been transferred to the Board by this Act ~~and who has been retained in the employ of the Board~~ may, at the discretion of the Public Service Board and with the consent of such officer or employee, be re-transferred to any office in the Public Service.

(7) Where any officer or employee is so re-transferred to the Public Service, his service as an officer or employee of the Board shall, for all purposes, be deemed to have been service as an officer or employee in the Public Service.

16. (1) The Board shall appoint and employ such officers and employees as may be necessary for carrying out the provisions of this Act.

Appoint-
ment of
officers and
employees.

(2) The officers and employees so appointed and employed shall continue in the employ of the Board at the will of the Board only.

cf. Act No.
47, 1935,
s. 15.

(3) Such persons so to be appointed, and all persons transferred to the Board under section fifteen of this Act shall be subject to the sole control and governance of the Board.

(4) The by-laws may make provision for the regulation and control of the officers and employees of the Board.

17. (1) The persons who immediately before the commencement of this Act held office as honorary medical officers of the hospital shall be deemed to have been appointed under this Act as honorary medical officers of the hospital, but shall cease to hold office on the expiration of a period of twelve months from the commencement of this Act and shall be eligible for re-appointment under this Act.

Honorary
medical
officers.

(2) The honorary medical officers of the hospital—

(a) shall be appointed by the Board;

(b)

Prince Henry Hospital.

(b) shall hold office for a period of three years from the date of appointment; and

(c) shall be eligible for re-appointment.

18. (1) The following persons shall be associate
5 honorary medical officers of the hospital, namely:—

Associate
honorary
medical
officers.

(a) every person who for the time being—

10 (i) is a professor or teacher in any of the subjects of the curriculum of the Faculty of Medicine in the University of Sydney; or

(ii) is a person approved by the Senate of the University of Sydney for the purpose of giving post-graduate teaching in medicine; and

15 (b) such other persons **whether or not honorary medical officers of the hospital** as the Board may, on the recommendation of the advisory committee appoint as associate honorary medical officers.

20 (2) The persons referred to in paragraph (b) of subsection one of this section shall be appointed for such period as the Board may, on the recommendation of the advisory committee, determine, and shall be eligible for reappointment.

25 (3) The associate honorary medical officers shall be available for consultation and shall be permitted to ~~engage in teaching or research work~~ **engage in post-graduate teaching and shall be permitted to engage in research work** and in such other medical or scientific work as the Board, on the recommendation of the
30 advisory committee, may determine.

Prince Henry Hospital.

PART IV.

POWERS, AUTHORITIES, DUTIES AND FUNCTIONS OF
THE BOARD.

5 **19.** The hospital shall be governed and managed by the Board, and shall be conducted and maintained as a hospital for the relief of public, private and intermediate patients and for such other purposes as are prescribed by this Act or by the regulations. Hospital to be governed and managed by the Board.

10 **20.** It shall be a primary duty of the Board to make available at all times not less than three hundred beds for the treatment of infectious diseases. Special accommodation to be provided for infectious cases.

15 **21.** (1) The Board shall maintain and shall provide all necessary medical attention for those persons removed to and detained or isolated at the hospital by the Board of Health in accordance with Division 4 of Part III of the Public Health Act, 1902-1932, and the regulations made thereunder.

20 (2) The actual expenses incurred by the Board in complying with this section shall be computed on a basis to be agreed upon between the Minister and the Board, and shall be paid to the Board out of moneys provided by Parliament.

25 **22.** (1) The Board may invest in manner prescribed in the Trustee Act, 1925, or in any investment in which the board of an incorporated hospital is by regulation made under the Public Hospitals Acts, 1929-1934, authorised to invest the funds of its hospital, any funds of the hospital, or any moneys given or bequeathed to or arising from any gift of real or personal property to the hospital and Board may invest funds. cf. Act No. 8, 1929, s. 29.

30 may from time to time vary the investments.
(2) The Board may, subject to any trust to the contrary or to any condition of any gift, devise or bequest, at any time dispose of any of its investments and apply the proceeds for the purposes of the hospital.

23.

Prince Henry Hospital.

23. (1) The Board shall have power to acquire by gift, devise or bequest any property for any of the purposes of this Act, and to agree to the conditions of any such gift, devise or bequest.

Power to accept gifts, etc.

5 (2) The rule of law relating to perpetuities shall not apply to any condition of a gift, devise or bequest to which the Board has agreed.

Rule against perpetuities not to apply to certain conditions. cf. 17 and 18 Geo. V, c. 41, s. 8.

24. (1) The Board may, with the approval of the Governor, acquire land for the purposes of the hospital by appropriation or resumption.

Resumption of land. cf. Act No. 8, 1929, s. 29A.

(2) Where the Board proposes to acquire land by appropriation or resumption it may apply to the Governor through the Minister.

15 (3) The Board shall make provision to the satisfaction of the Governor for the payment of compensation for the land together with interest and all necessary charges and expenses incidental to the appropriation or resumption.

(4) The Governor may authorise the appropriation or resumption of the land.

(5) Thereupon the Governor may—

(a) appropriate or resume the land by Gazette notification under Division 1 of Part V of the Public Works Act, 1912; and

25 (b) notify that the land is vested in the Board.

(6) Thereupon the land shall vest in the Board.

(7) For the purposes of the Public Works Act, 1912, such appropriation or resumption shall be deemed to be for the purpose of carrying out an authorised work within the meaning of that Act.

30 (8) In this section "land" means land in fee simple whether vacant or built upon or any easement right or privilege in, over or affecting land.

25. The Board shall make such provision as may be necessary or desirable to enable post-graduate teaching and research work in medicine to be carried out in the hospital by or under the authority of the University of Sydney.

Post-graduate teaching.

26.

Prince Henry Hospital.

26. The Board may, if it thinks fit, make such provision as may be necessary or desirable to enable the training of medical superintendents, hospital managers, hospital secretaries, hospital matrons, nurses, masseurs, almoners, dietitians, X-ray technicians, or pathological technicians to be carried out.

Training
schools.

PART V.

MISCELLANEOUS.

- 27.** (1) There shall be an advisory committee which shall consist of eight members of whom—
- (a) four shall be directors of the hospital and shall be appointed by the Board; and
- (b) four shall be appointed by the Senate of the University of Sydney.
- (2) The advisory committee shall consider and make recommendations to the Board for or with respect to—
- (a) the appointment of associate honorary medical officers;
- (b) the co-ordination of the work of the hospital with the conduct of post-graduate teaching and research work in medicine carried out in the hospital by or under the authority of the University of Sydney;
- (c) such other matters or class of matters as may be prescribed by the regulations.
- (3) The members of the advisory committee shall hold office for a term of three years and shall be eligible for reappointment.

Advisory
committee.

(4)

Prince Henry Hospital.

(4) The quorum at any meeting of the advisory committee shall be—

- 5 (a) where the business of the meeting relates to the appointment of honorary medical officers or associate honorary medical officers—six members, of whom three shall be members appointed by the Board and three shall be members appointed by the Senate of the University of Sydney;
- (b) in any other case—four members.

10 (5) If any casual vacancy occurs in the office of any member of the advisory committee by death, resignation or otherwise the vacancy may be filled—

- (a) in the case of a member who was a director of the hospital—by the appointment of a director of the hospital by the Board;
- 15 (b) in any other case—by the appointment of some person by the Senate of the University of Sydney.

The member so appointed shall hold office for the
20 balance of his predecessor's term of office.

(6) In the case of the absence or illness of any member of the advisory committee a deputy may be appointed—

- (a) in the case of a member who is a director of
25 the hospital—by the Board;
- (b) in any other case—by the Senate of the University of Sydney.

Every such deputy shall have, while he acts as deputy, all the powers and authorities of a member of the
30 advisory committee.

(7) The procedure for the calling of meetings and for the conduct of business at meetings of the advisory committee shall, subject to any regulations made in relation thereto, be as determined by the advisory committee.

35 **28.** All unclaimed money or valuables of patients who die in the hospital shall be the property of the Board and shall form a distinct and separate fund to be called the Samaritan Fund, which fund shall be managed and disposed of in the manner provided by the by-laws for the
40 benefit of the necessitous outgoing patients.

Samaritan Fund.
cf. Act No. 52, 1902, s. 18.

Prince Henry Hospital.

29. (1) Where it appears to the Board of Health that by reason of any emergency or of the occurrence of any epidemic, conditions have arisen which render it necessary or desirable in the public interest that the control
5 of the hospital or of any part thereof should be vested in the Crown, or that the period for which any such control has been so vested should be extended, it may so certify to the Minister.

Power to
vest control
of hospital
in Crown.

(2) Where any such certificate has been given the
10 Minister may request the Board to give an undertaking that it will govern and manage or continue to govern and manage the hospital or the part thereof referred to in the certificate, for any specified period not exceeding six months, under and subject to the instructions of the
15 Director-General of Public Health.

(3) If the Board neglects or fails to give such undertaking within a time limited by the Minister, or if after having given such undertaking it neglects or fails to comply with any instruction of the Director-General
20 of Public Health the Governor may, by proclamation published in the Gazette, divest from the Board and vest in the Director-General of Public Health, the government and management of the hospital or of any specified part thereof for the period, not exceeding six months,
25 specified in the proclamation.

(4) The Governor may revoke any such proclamation by proclamation published in the Gazette.

(5) While any proclamation under subsection three of this section remains in force the Director-
30 General of Public Health shall, for all purposes of or arising out of this Act constitute the body corporate created by section four of this Act.

(6) Where a certificate of the Board of Health has been given under subsection one of this section the Board,
35 while acting under and subject to the instructions of the Director-General of Public Health, during any period in respect of which it has given the undertaking referred to in subsection two of this section, or the Director-General of Public Health during any period for which the govern-
40 ment and management of the hospital is vested in him,
may,

Prince Henry Hospital.

may, notwithstanding anything contained in this Act, conduct and maintain the hospital in such manner and for such purposes as the Director-General of Public Health may think fit.

- 5 **30.** A general meeting of the subscribers shall be held upon a date to be appointed by the Board in the month of August in the year one thousand nine hundred and thirty-seven and in each succeeding year, at which the annual report and balance-sheet of the hospital for 10 the year ending on the thirtieth day of June last preceding the date of the meeting shall be presented.

General
meeting of
subscribers.

31. (1) The following persons shall be deemed to be subscribers:—

Subscribers.
cf. Act No. 8,
1929, s. 21.

15 (a) Any life member: A person who becomes a life member shall be deemed to be a subscriber as and from the date at which he becomes a life member.

20 (b) Any person who in any year between the first day of July and the thirtieth day of June next following has contributed to the funds of the hospital otherwise than by way of payment for relief received or which might be received by him or his dependants a sum of not less than ten shillings in one sum.

25 Such person shall be deemed to be a subscriber for twelve months from the first day of July preceding the payment of his subscription.

30 (c) Any person nominated in the manner prescribed by the by-laws by any firm or corporation or association of persons which contributes to the funds of the hospital.

Nominations shall be made in accordance with the following provisions:—

35 (i) Where the sum contributed exceeds two pounds and does not exceed fifty pounds, one person may be nominated;

40 (ii) Where the sum contributed exceeds fifty pounds, but does not exceed one hundred pounds, two persons may be nominated;

(iii)

Prince Henry Hospital.

- (iii) Where the sum contributed exceeds one hundred pounds, but does not exceed two hundred pounds, three persons may be nominated;
- 5 (iv) For every one hundred pounds, or part thereof in excess of two hundred pounds contributed, one additional person may be nominated.

- 10 (d) Any person nominated in the manner prescribed by the by-laws by the promoters of any entertainment, sports meeting, carnival, or the like, held for raising funds for the hospital.

Nominations shall be made in accordance with the following provisions:—

- 15 (i) Where the sum contributed exceeds fifty pounds and does not exceed one hundred pounds, one person may be nominated;
- 20 (ii) Where the sum contributed exceeds one hundred pounds, but does not exceed two hundred pounds, two persons may be nominated;
- 25 (iii) Where the sum contributed exceeds two hundred pounds, three persons may be nominated.

- (e) Any person nominated in the manner prescribed by the by-laws by the governing body of any association acting, with the consent of the Board of the hospital, as an auxiliary to the hospital.

30 Nominations shall be made in accordance with the following provisions:—

- (i) Where the sum raised by the auxiliary and paid to the hospital exceeds two pounds and does not exceed fifty pounds, one person may be nominated;
- 35 (ii) Where the sum raised by the auxiliary and paid to the hospital exceeds fifty pounds and does not exceed one hundred pounds, two persons may be nominated;
- 40 (iii)

Prince Henry Hospital.

5 (iii) Where the sum raised by the auxiliary and paid to the hospital exceeds one hundred pounds and does not exceed two hundred pounds, three persons may be nominated;

10 (iv) For every one hundred pounds or part thereof in excess of two hundred pounds raised by the auxiliary and paid to the hospital, one additional person may be nominated.

(2) Nominations may be made only in respect of sums contributed in any year between the first day of July and the thirtieth day of June next following.

15 Any person so nominated shall be deemed to be a subscriber for the period of twelve months from the first day of July preceding the date of his nomination.

20 (3) A contributor to the Metropolitan Hospitals Contribution Fund of New South Wales shall be deemed to be a subscriber to The Prince Henry Hospital if he so elects, provided that no such election shall be made until the contributor has made contributions to the fund to the amount of not less than ten shillings in the hospital year.

25 When any such contributor elects to be deemed a subscriber to the hospital he shall not be entitled to exercise the right of selection conferred by subsection (2A) of section twenty-one of the Public Hospitals Acts, 1929-1934, and where he has exercised such right of selection he shall not be entitled to make an election under this subsection.

30 (4) A person who was a subscriber to the hospital during the year ending on the thirtieth day of June immediately preceding the date upon which an election of directors is to be held shall for all purposes of or relating to such election be deemed to be a subscriber.

35 (5) (a) Any person may become a life member of the hospital if he contributes to the funds of the hospital otherwise than by way of payment for the relief received by him or his dependants, ten pounds at the least in one sum.

(b)

Prince Henry Hospital.

(b) The Board may appoint as a life member of the hospital any person who has rendered meritorious service to or in connection with the hospital either before or after the commencement of this Act.

5 32. The Public Hospitals Acts, 1929-1934, is amended by adding to the Third Schedule thereof the name of The Prince Henry Hospital.

Amendment of Act No. 8, 1929. Third Schedule.

10 33. The fees to be paid in connection with post-graduate teaching in medicine carried out in the hospital by or under the authority of the University of Sydney shall be fixed by the Senate of that University, and shall be payable to the University of Sydney.

Fees in respect of post-graduate teaching.

15 34. (1) The Board may, with the approval of the Governor, given on the recommendation of the Commission, make by-laws not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed by the by-laws and in particular without prejudice to the generality of the foregoing power may make by-laws:—

By-laws.

20 (a) regulating the procedure for the receipt of nominations and for the election of elected directors;

25 (b) regulating the times and modes of meetings of the Board and of transacting business at such meetings;

(c) prescribing the manner in which the chairman and vice-chairman of the Board shall be elected and providing for the appointment of sub-committees of the hospital;

30 (d) for or with respect to the appointment of the honorary medical officers and for or with respect to the publication of advertisements setting out the vacancies which exist and the person with whom and the time within which applications for appointment to fill any such vacancy may be made;

35 (e) fixing the amounts to be demanded for maintenance, attendance or relief in respect of public, intermediate and private patients;

(f)

Prince Henry Hospital.

- (f) generally for the management and government of visitors and patients;
- (g) fixing the fees to be charged with respect to the training of medical superintendents, hospital managers, hospital secretaries, hospital matrons, nurses, masseurs, almoners, dietitians, X-ray technicians, or pathological technicians;
- (h) fixing penalties not exceeding two pounds for any breach thereof.

10 (2) A copy of the by-laws sealed with the seal of the body corporate and purporting to be certified by the secretary of the hospital as being correct, shall, saving all just exceptions, be received in all Courts as conclusive evidence of the by-laws in force at the date of the certificate.

15 **35.** (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed by the regulations or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular and without prejudice to the generality of the foregoing power may make regulations for or with respect to—

- 25 (a) the matters which may be referred to the advisory committee for consideration and recommendation, and generally the powers, authorities, duties and functions which may be exercised and performed by the advisory committee;
- 30 (b) all matters relating to the conduct of post-graduate teaching or research work in the hospital carried on by or under the authority of the University of Sydney.

(2) The regulations shall—

- 35 (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof

Prince Henry Hospital.

thereof if Parliament is then in session, and if not then within fourteen sitting days after the commencement of the next session.

- (3) 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 or part thereof, such regulation or part shall thereupon cease to have effect.

10

SCHEDULE.

Sec. 14.

- All that piece or parcel of land situated in the Parish of Botany, County of Cumberland, Municipality of Randwick, containing an area of two hundred and forty-one acres: Commencing on the shore of the South Pacific Ocean at a point marked on rock being the south-east corner of portion six hundred and twelve of sixty-two acres two roods dedicated for Public Recreation and Public Baths by Gazette notice of twenty-first December, one thousand nine hundred and ten, and bounded thence on the north by a line in part forming the southern boundary of portion six hundred and twelve bearing west in all sixty-nine chains ninety-one and thirty-nine one-hundredths links to the north-eastern side of Anzac Parade; thence on the south-west by that side of Anzac Parade, being lines bearing respectively one hundred and seventy-one degrees fifty-four minutes fifty seconds three hundred and five and forty-six one-hundredths links; one hundred and sixty-nine degrees fifty minutes thirty seconds one hundred and fourteen and ninety-five one-hundredths links, one hundred and sixty-four degrees fifty-seven minutes forty seconds one hundred and fifteen and one-hundredth links, one hundred and sixty degrees four minutes fifty seconds one hundred and fourteen and ninety-five one-hundredths links, one hundred and fifty-six degrees one minute forty-five seconds eighty-five and eight one-hundredths links, one hundred and fifty-two degrees fourteen minutes forty-five seconds eighty-nine and seventy-one one-hundredths links; one hundred and forty-eight degrees nine minutes forty-five seconds eighty-nine and ninety-four one-hundredths links, one hundred and forty-four degrees thirty-three minutes twenty-five seconds ninety-two and fifty-three one-hundredths links, one hundred and forty-two degrees twenty-three minutes five seconds five hundred and eighty-six and sixty-three one-hundredths links, one hundred and thirty-nine degrees fifty-seven minutes forty-five seconds one hundred and twenty-one and nine-tenths links, one hundred and thirty-five degrees seven minutes fifteen seconds one hundred and twenty-one and

Prince Henry Hospital.

and ninety-three one-hundredths links, one hundred and thirty degrees sixteen minutes forty-five seconds one hundred and twenty-one and nine-tenths links, one hundred and twenty-five degrees twelve minutes fifty seconds fifty-four and seventy-five one-hundredths links; one hundred and twenty-nine degrees five minutes one hundred and twenty-four and three-tenths links; one hundred and thirty-six degrees forty-nine minutes one hundred and twenty-four and three-tenths links; one hundred and forty-four degrees thirty-three minutes twenty seconds one hundred and twenty-four and three-tenths links; one hundred and fifty-two degrees seventeen minutes thirty seconds one hundred and twenty-four and three-tenths links; one hundred and fifty-six degrees nine minutes forty seconds four hundred and forty-nine and thirty-five one-hundredths links; one hundred and sixty-six degrees thirty-seven minutes thirty seconds one hundred and fifty-four and thirty-five one-hundredths links; one hundred and eighty-five degrees thirty-two minutes eighty-nine and fifty-two one hundredths links; one hundred and ninety-six degrees fifty-seven minutes eighty-nine and fifty-two one-hundredths links; two hundred and two degrees forty-seven minutes forty-five seconds six hundred and fifty-four and twenty-five one-hundredths links; two hundred and eight degrees five minutes one hundred and thirty-six and twenty-three one-hundredths links; two hundred and sixteen degrees eighteen minutes twenty seconds one hundred and thirty-six and twenty-three one-hundredths links; two hundred and twenty-four degrees thirty-one minutes forty seconds one hundred and thirty-six and twenty-three one-hundredths links, and two hundred and thirty-two degrees forty-five minutes one hundred and thirty-six and twenty-three one-hundredths links; thence again by lines bearing one hundred and ninety-nine degrees twenty-nine minutes thirty seconds one thousand two hundred and fifty-seven and two one-hundredths links to a bolt in rock; thence again by lines bearing ninety-two degrees thirty-four minutes one thousand four hundred and seventy-six and five-tenths links; one hundred and ninety-eight degrees fourteen minutes twenty seconds four hundred and eighty-one and seventy-two one-hundredths links; eighty-seven degrees thirty-eight minutes eight hundred and seventy and forty-eight one-hundredths links; three degrees fourteen minutes forty-five seconds three hundred and eighty-eight and ninety-two one-hundredths links; ninety-two degrees thirty-four minutes two thousand three hundred and fifty-five and seventy-five one-hundredths links, and one hundred and three degrees fifty minutes four hundred and eighty-nine and twenty-four one-hundredths links to a broadarrow mark on rock on the shore of the South Pacific Ocean; thence by that shore of that ocean northerly to the point of commencement, shown on plan Ms. 9,065 Sy. Roll in the Department of Lands, Sydney.

General Report

The following table shows the results of the experiments conducted during the year 1901.

100

90

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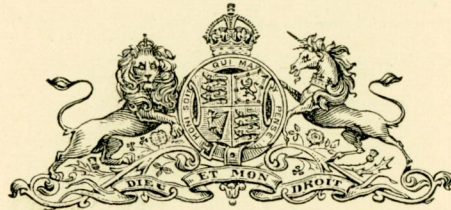
THE UNIVERSITY OF CALIFORNIA



This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 23 June, 1936.

New South Wales.



ANNO PRIMO

EDWARDI VIII REGIS.

Act No. , 1936.

An Act to provide for the constitution of the Board of Directors of the Prince Henry Hospital; to vest certain property in and to confer and impose certain powers, authorities, duties and functions upon that Board; to amend the Public Hospitals Acts, 1929-1934, and certain other Acts; and for purposes connected therewith.

BE 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
5 the same, as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be cited as the "Prince Henry Hospital Act, 1936." Short title.

Prince Henry Hospital.

(2) This Act shall commence on the first day of July, one thousand nine hundred and thirty-six.

2. This Act is divided into Parts, as follows:—

Division
into Parts.

PART I.—PRELIMINARY—*ss.* 1-3.

5 PART II.—THE BOARD OF DIRECTORS OF THE PRINCE
HENRY HOSPITAL—*ss.* 4-13.

PART III.—PROPERTY AND OFFICERS—*ss.* 14-18.

PART IV.—POWERS, AUTHORITIES, DUTIES AND FUNC-
TIONS OF THE BOARD—*ss.* 19-26.

10 PART V.—MISCELLANEOUS—*ss.* 27-35.

SCHEDULE.

3. In this Act, unless the context or subject-matter otherwise indicates or requires— Definitions.

15 “Advisory committee” means the advisory committee constituted by this Act.

“Appointed director” means director appointed by the Governor.

“Board” means the Board of Directors of The Prince Henry Hospital.

20 “By-laws” means by-laws made under this Act.

“Commission” means the Hospitals Commission of New South Wales.

25 “Director” means a person appointed or elected in accordance with the provisions of this Act as a director of the hospital, and includes the Director-General of Public Health.

“Elected director” means director elected by the subscribers.

“Hospital” means The Prince Henry Hospital.

30 “Prescribed” means prescribed by this Act or by the by-laws or by the regulations.

“Regulations” means regulations made under this Act.

“Relief”

Prince Henry Hospital.

5 "Relief" includes treatment or cure of or attention to any disease or ailment or any injury consequent on any accident, and also the maintenance and the provision of medical and surgical attention, medicines, surgical appliances, and nursing of any patient.

PART II.

THE BOARD OF DIRECTORS OF THE PRINCE HENRY HOSPITAL.

10 4. (1) There shall be constituted a Board which shall carry into effect the objects and purposes of this Act, and shall have and may exercise and perform the powers, authorities, duties and functions conferred or imposed upon the Board by or under this Act.

The Board of Directors of The Prince Henry Hospital.

15 (2) The Board shall be a body corporate with perpetual succession and a common seal, and shall, for the purposes and subject to the provisions of this Act, be capable of purchasing, holding, granting, devising, disposing of, or otherwise dealing with real and personal
20 property, and of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

(3) The corporate name of the Board shall be the "Board of Directors of The Prince Henry Hospital."

25 5. (1) The Board first constituted under this Act shall consist of fifteen directors, one of whom shall be the Director-General of Public Health and fourteen of whom shall be appointed by the Governor.

First constitution of the Board.

(2) Of the directors so appointed—

- 30 (a) one shall be a member of the Commission who is not a member of the medical profession;
- (b) two shall be appointed on the nomination of the Senate of the University of Sydney;
- (c) one shall be appointed on the nomination of the Council of the Royal Australasian College of Surgeons;
- 35 (d) one shall be appointed on the nomination of the Council of the Association of Physicians of Australasia;
- (e)

Prince Henry Hospital.

- (e) one shall be appointed on the nomination of the New South Wales Post Graduate Committee in Medicine of the University of Sydney;
- 5 (f) eight, who shall not be members of the medical profession, shall be appointed on the nomination of the Minister.
- (3) The directors appointed to the Board under the authority of this section shall, subject to this Act, hold office until the first day of September, one thousand nine hundred and thirty-eight, and shall be eligible for re-
10 appointment or for election as directors.
- (4) The Governor shall appoint one of the directors, who shall not be a member of the medical profession, to be chairman and another of the directors to be
15 the vice-chairman of the Board first constituted under this Act.
6. (1) On and from the first day of September, one thousand nine hundred and thirty-eight, the Board shall consist of fifteen directors, one of whom shall be the
20 Director-General of Public Health, eight of whom shall be appointed by the Governor, and six of whom, who shall not be members of the medical profession, shall be elected by the subscribers.
- (2) Of the directors so appointed—
- 25 (a) one shall be a member of the Commission who is not a member of the medical profession;
- (b) two shall be appointed on the nomination of the Senate of the University of Sydney;
- 30 (c) one shall be appointed on the nomination of the Council of the Royal Australasian College of Surgeons;
- (d) one shall be appointed on the nomination of the Council of the Association of Physicians of Australasia;
- 35 (e) one shall be appointed on the nomination of the New South Wales Post Graduate Committee in Medicine of the University of Sydney;
- (f) two, who shall not be members of the medical profession, shall be appointed on the nomination
40 of the Minister.

Constitution
of subse-
quent
Boards.

Prince Henry Hospital.

(3) Elections of elected directors shall be held in the month of July or in the month of August in the year one thousand nine hundred and thirty-eight, and in each third year thereafter.

5 The persons elected at any such elections shall assume office as directors on the first day of September in the year in which they are elected.

(4) All such elections of elected directors shall be held and conducted in the manner prescribed by the by-
10 laws.

(5) The directors appointed or elected shall, subject to this Act hold office for a period of three years, but shall be eligible for re-appointment or re-election.

(6) The chairman and vice-chairman of the Board
15 shall be elected by the Board in the manner and within the time prescribed by the by-laws.

A member of the medical profession shall not be eligible to be elected or to hold office as chairman of the Board.

7. A director shall not be entitled to receive any salary,
20 fee, allowance or remuneration for his services as a director.

Director not entitled to any remuneration for his services.

8. The provisions of the Public Service Act, 1902, or
of any Act amending that Act, shall not apply to or in
respect of the appointment of any appointed director,
25 and an appointed director shall not be subject to the provisions of any such Act during his term of office.

Public Service Act, 1902, not to apply.

9. The office of an appointed director or of an elected
director shall become vacant if the director appointed or
elected thereto—
30

Vacation of office.

- (a) dies; or
- (b) resigns his office by notice in writing addressed to the Governor; or
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act of 1898; or
- 35 (d) is absent, without the leave of the Board, from four consecutive ordinary meetings of the Board; or
- (e) is removed from office by the Governor; or
- 40 (f) being an elected director, becomes disqualified for office; or
- (g) being a member of the Commission ceases to hold office as such.

Prince Henry Hospital.

10. The Governor may, for any cause which appears to him to be sufficient, remove any appointed director or any elected director from office.

Power of Governor to remove from office.

11. (1) Where a casual vacancy occurs in the office of any appointed or elected director, a director shall be appointed by the Governor or elected by the subscribers to fill the vacant office.

Casual vacancies.

(2) (a) Where the casual vacancy occurs in the office of a member of the Commission appointed a director, the director appointed to fill the vacant office shall be a member of the Commission.

(b) Where the casual vacancy occurs in the office of an appointed director appointed on the nomination of one of the bodies referred to in paragraphs (b) to (e) both inclusive of subsection two of section five or in paragraphs (b) to (e) both inclusive of subsection two of section six of this Act, the director appointed to fill the vacant office shall be appointed on the nomination of the body by which his predecessor was nominated.

(c) Where the casual vacancy occurs in the office of any other appointed director the director appointed to fill the vacant office shall be appointed on the nomination of the Minister.

(d) Where the casual vacancy occurs in the office of an elected director, a director shall be elected by the subscribers to fill the vacant office:

Provided that where any such casual vacancy occurs within the last six months of the term of office of the elected directors, an election shall not be held unless the Minister authorises the holding of an election, and appoints a day therefor.

(3) All such elections of elected directors shall be held and conducted in the manner prescribed by the by-laws.

(4) Any director appointed or elected under the authority of this section shall subject to this Act hold office for the balance of his predecessor's term of office, but shall be eligible for re-appointment or re-election.

12. (1) Subject to subsection two of this section any subscriber shall be eligible to hold office as an elected director.

Subscribers eligible to hold office as elected directors. cf. Act No. 8, 1929, s. 24.

(2)

Prince Henry Hospital.

(2) A subscriber shall be disqualified from holding office as an elected director if he is—

- (a) a minor;
- (b) a paid officer or employee of the hospital;
- 5 (c) a person who has within the preceding ten years been convicted of any felony or indictable misdemeanour; or
- (d) an uncertificated bankrupt.

10 **13.** (1) No act or proceeding of the Board shall be invalidated or prejudiced by reason only of the fact that, at the time when such act or proceeding was done, taken or commenced, there was a vacancy in the office of any director.

Proceedings
of the
Board.

(2) The procedure for the calling of meetings of the Board, and for the conduct of business at such meetings shall, subject to any by-laws in relation thereto, be as determined by the Board.

20 (3) Eight directors shall form a quorum of the Board, and any duly convened meeting of the Board at which a quorum is present shall be competent to transact any business of the Board, and shall have all the powers and authority by this Act conferred upon the Board.

25 (4) At any meeting of the Board the chairman, or in his absence the vice-chairman, if present at the meeting, shall preside. If the chairman and vice-chairman are both absent from any meeting the directors present shall elect one of their number to preside at the meeting.

30 (5) At any meeting of the Board the decision of a majority of the directors present shall be the decision of the Board.

35 If at any meeting of the Board the directors present are equally divided in opinion upon any matter, the matter may be decided on the casting vote of the chairman or of the vice-chairman or director presiding at the meeting as the case may be.

40 (6) The Board may, by resolution, authorise the chairman or vice-chairman to determine such matters as are specified in the resolution. Any such resolution may from time to time be revoked or varied by resolution.

Prince Henry Hospital.

PART III.

PROPERTY AND OFFICERS.

14. (1) (a) So much of the land described in the Schedule of this Act as is not within the Portion referred to in paragraph (c) of this subsection is hereby vested in the Board for an estate in fee simple.

Vesting of
land
described in
Schedule.

(b) The property, plant and equipment of the hospital in and upon the buildings erected upon the land referred to in paragraph (a) of this subsection, are hereby vested in the Board absolutely.

(c) So much of the land described in the Schedule to this Act as is within Portion M.L.2 of 8 acres, Parish of Botany, County of Cumberland, shown on plan catalogued M.19406 in the Department of Mines, shall, upon the publication by the Governor in the Gazette of a notice that the interest of the holder for the time being of the lease of that Portion under the Mining Act, 1906-1935, in force at the commencement of this Act or of any renewal of such lease granted under the Mining Act, 1906-1935, has determined, vest in the Board for an estate in fee simple.

(2) Nothing in this section shall affect—

(a) the operation of the proclamations issued under the Leprosy Act of 1890 and published in Gazette number forty-one of sixteenth day of January, one thousand eight hundred and ninety-one, and Gazette number five hundred and twenty-seven of the twenty-fourth day of July, one thousand eight hundred and ninety-three, setting apart as a lazaret portions of the land so vested; or

(b) any order or notice issued or action taken under the provisions of Division 4 of Part III of the Public Health Act, 1902-1932.

(3) It shall not be lawful for the Board to sell, convey, demise, mortgage or in any other way whatsoever dispose of any land vested in it by this Act, or granted

Prince Henry Hospital.

granted to it by the Crown after the commencement of this Act, except with the approval of the Governor given on the recommendation of the Commission.

- 5** **15.** (1) All persons who, immediately before the commencement of this Act, were attached to the staff of the hospital, and were officers and employees within the meaning of the Public Service Act, 1902, shall be transferred to and shall be deemed to have been appointed by the Board as officers and employees of the Board.
- 10** The persons so transferred shall continue in the employ of the Board at the will of the Board only.
- (2) Any person so transferred shall retain any accrued or accruing rights including the right to contribute to any fund or account and to receive any annual, **15** sick, deferred or extended leave, and any payment, pension or gratuity, as if he had remained an officer or employee within the meaning of the Public Service Act, 1902, or the Superannuation Act, 1916-1935, or any Act amending those Acts, as the case may be, and for any **20** such purpose his service as an officer or employee of the Board shall be deemed to be service for the purpose of any such Act.
- (3) No person so transferred shall be entitled to claim benefits under this Act as well as under any other **25** Act for the same period of service.
- (4) Where any condition of employment of any person so transferred is at the date of his transfer regulated by an award or industrial agreement, such condition shall continue to be so regulated until an award by which **30** the Board is bound is made by a court of competent jurisdiction or such condition is regulated by an industrial agreement to which the Board is a party.
- (5) For the purposes of the Superannuation Act, 1916-1935, any officer or employee transferred to the **35** Board under this section shall not be deemed to be an employee of the Board, but shall be deemed to have continued to be an officer or employee as the case may be of the Public Service.

Transfer of officers.
cf. Act No. 47, 1935, s. 14.

(6)

Prince Henry Hospital.

(6) At any time within twelve months after the commencement of this Act any officer or employee who has been transferred to the Board by this Act and who has been retained in the employ of the Board may, at the
5 discretion of the Public Service Board and with the consent of such officer or employee, be re-transferred to any office in the Public Service.

(7) Where any officer or employee is so re-transferred to the Public Service, his service as an officer
10 or employee of the Board shall, for all purposes, be deemed to have been service as an officer or employee in the Public Service.

16. (1) The Board shall appoint and employ such officers and employees as may be necessary for carrying
15 out the provisions of this Act.

Appoint-
ment of
officers and
employees.

(2) The officers and employees so appointed and employed shall continue in the employ of the Board at the will of the Board only.

cf. Act No.
47, 1935,
s. 15.

(3) Such persons so to be appointed, and all per-
20 sons transferred to the Board under section fifteen of this Act shall be subject to the sole control and govern-
ance of the Board.

(4) The by-laws may make provision for the regulation and control of the officers and employees of the
25 Board.

17. (1) The persons who immediately before the commencement of this Act held office as honorary medi-
cal officers of the hospital shall be deemed to have been
appointed under this Act as honorary medical officers of
30 the hospital, but shall cease to hold office on the expira-
tion of a period of twelve months from the commencement
of this Act and shall be eligible for re-appointment under
this Act.

Honorary
medical
officers.

(2) The honorary medical officers of the hos-
35 pital—

(a) shall be appointed by the Board;

(b).

Prince Henry Hospital.

(b) shall hold office for a period of three years from the date of appointment; and

(c) shall be eligible for re-appointment.

18. (1) The following persons shall be associate Associate
5 honorary medical officers of the hospital, namely:— honorary
medical
officers.

(a) every person who for the time being—

10 (i) is a professor or teacher in any of the subjects of the curriculum of the Faculty of Medicine in the University of Sydney; or

(ii) is a person approved by the Senate of the University of Sydney for the purpose of giving post-graduate teaching in medicine; and

15 (b) such other persons as the Board may, on the recommendation of the advisory committee appoint as associate honorary medical officers.

(2) The persons referred to in paragraph (b) of subsection one of this section shall be appointed for **20** such period as the Board may, on the recommendation of the advisory committee, determine, and shall be eligible for reappointment.

(3) The associate honorary medical officers shall be available for consultation and shall be permitted to **25** engage in teaching or research work or in such other medical or scientific work as the Board, on the recommendation of the advisory committee, may determine.

Prince Henry Hospital.

PART IV.

POWERS, AUTHORITIES, DUTIES AND FUNCTIONS OF
THE BOARD.

- 19.** The hospital shall be governed and managed by
5 the Board, and shall be conducted and maintained as a
hospital for the relief of public, private and intermediate
patients and for such other purposes as are prescribed
by this Act or by the regulations. Hospital to
be governed
and man-
aged by the
Board.
- 20.** It shall be a primary duty of the Board to make
10 available at all times not less than three hundred beds
for the treatment of infectious diseases. Special accom-
modation to be
provided for
infectious cases.
- 21.** (1) The Board shall maintain and shall provide
all necessary medical attention for those persons re-
moved to and detained or isolated at the hospital by the
15 Board of Health in accordance with Division 4 of Part
III of the Public Health Act, 1902-1932, and the regula-
tions made thereunder.
- (2) The actual expenses incurred by the Board
in complying with this section shall be computed on a
20 basis to be agreed upon between the Minister and the
Board, and shall be paid to the Board out of moneys
provided by Parliament.
- 22.** (1) The Board may invest in manner prescribed in
the Trustee Act, 1925, or in any investment in which the
25 board of an incorporated hospital is by regulation made
under the Public Hospitals Acts, 1929-1934, authorised to
invest the funds of its hospital, any funds of the hospital,
or any moneys given or bequeathed to or arising from
any gift of real or personal property to the hospital and
30 may from time to time vary the investments. Board may
invest
funds.
cf. Act No.
8, 1929,
s. 29.
- (2) The Board may, subject to any trust to the
contrary or to any condition of any gift, devise or
bequest, at any time dispose of any of its investments
and apply the proceeds for the purposes of the hos-
35 pital.

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23. (1) The Board shall have power to acquire by gift, devise or bequest any property for any of the purposes of this Act, and to agree to the conditions of any such gift, devise or bequest.

Power to accept gifts, etc.

5 (2) The rule of law relating to perpetuities shall not apply to any condition of a gift, devise or bequest to which the Board has agreed.

Rule against perpetuities not to apply to certain conditions. cf. 17 and 18 Geo. V, c. 41, s. 8.

24. (1) The Board may, with the approval of the Governor, acquire land for the purposes of the hospital by appropriation or resumption.

Resumption of land. cf. Act No. 8, 1929, s. 29A.

(2) Where the Board proposes to acquire land by appropriation or resumption it may apply to the Governor through the Minister.

15 (3) The Board shall make provision to the satisfaction of the Governor for the payment of compensation for the land together with interest and all necessary charges and expenses incidental to the appropriation or resumption.

20 (4) The Governor may authorise the appropriation or resumption of the land.

(5) Thereupon the Governor may—

(a) appropriate or resume the land by Gazette notification under Division 1 of Part V of the Public Works Act, 1912; and

25 (b) notify that the land is vested in the Board.

(6) Thereupon the land shall vest in the Board.

30 (7) For the purposes of the Public Works Act, 1912, such appropriation or resumption shall be deemed to be for the purpose of carrying out an authorised work within the meaning of that Act.

(8) In this section "land" means land in fee simple whether vacant or built upon or any easement right or privilege in, over or affecting land.

35 **25.** The Board shall make such provision as may be necessary or desirable to enable post-graduate teaching and research work in medicine to be carried out in the hospital by or under the authority of the University of Sydney.

Post-graduate teaching.

26.

Prince Henry Hospital.

26. The Board may, if it thinks fit, make such provision as may be necessary or desirable to enable the training of medical superintendents, hospital managers, hospital secretaries, hospital matrons, nurses, masseurs, almoners, dietitians, X-ray technicians, or pathological technicians to be carried out. Training schools.

PART V.

MISCELLANEOUS.

- 27.** (1) There shall be an advisory committee which shall consist of eight members of whom— Advisory committee.
- (a) four shall be directors of the hospital and shall be appointed by the Board; and
 - (b) four shall be appointed by the Senate of the University of Sydney.
- 27.** (2) The advisory committee shall consider and make recommendations to the Board for or with respect to—
- (a) the appointment of associate honorary medical officers;
 - (b) the co-ordination of the work of the hospital with the conduct of post-graduate teaching and research work in medicine carried out in the hospital by or under the authority of the University of Sydney;
 - (c) such other matters or class of matters as may be prescribed by the regulations.
- (3) The members of the advisory committee shall hold office for a term of three years and shall be eligible for reappointment.

Prince Henry Hospital.

(4) The quorum at any meeting of the advisory committee shall be—

- 5 (a) where the business of the meeting relates to the appointment of honorary medical officers or associate honorary medical officers—six members, of whom three shall be members appointed by the Board and three shall be members appointed by the Senate of the University of Sydney;
- (b) in any other case—four members.

10 (5) If any casual vacancy occurs in the office of any member of the advisory committee by death, resignation or otherwise the vacancy may be filled—

- 15 (a) in the case of a member who was a director of the hospital—by the appointment of a director of the hospital by the Board;
- (b) in any other case—by the appointment of some person by the Senate of the University of Sydney.

The member so appointed shall hold office for the 20 balance of his predecessor's term of office.

(6) In the case of the absence or illness of any member of the advisory committee a deputy may be appointed—

- 25 (a) in the case of a member who is a director of the hospital—by the Board;
- (b) in any other case—by the Senate of the University of Sydney.

Every such deputy shall have, while he acts as deputy, all the powers and authorities of a member of the advisory committee. 30

(7) The procedure for the calling of meetings and for the conduct of business at meetings of the advisory committee shall, subject to any regulations made in relation thereto, be as determined by the advisory committee.

35 **28.** All unclaimed money or valuables of patients who die in the hospital shall be the property of the Board and shall form a distinct and separate fund to be called the Samaritan Fund, which fund shall be managed and disposed of in the manner provided by the by-laws for the benefit of the necessitous outgoing patients. 40

Samaritan Fund.
cf. Act No. 52, 1902, s. 18.

Prince Henry Hospital.

29. (1) Where it appears to the Board of Health that by reason of any emergency or of the occurrence of any epidemic, conditions have arisen which render it necessary or desirable in the public interest that the control
5 of the hospital or of any part thereof should be vested in the Crown, or that the period for which any such control has been so vested should be extended, it may so certify to the Minister.

Power to
vest control
of hospital
in Crown.

(2) Where any such certificate has been given the
10 Minister may request the Board to give an undertaking that it will govern and manage or continue to govern and manage the hospital or the part thereof referred to in the certificate, for any specified period not exceeding six months, under and subject to the instructions of the
15 Director-General of Public Health.

(3) If the Board neglects or fails to give such undertaking within a time limited by the Minister, or if after having given such undertaking it neglects or fails to comply with any instruction of the Director-General
20 of Public Health the Governor may, by proclamation published in the Gazette, divest from the Board and vest in the Director-General of Public Health, the government and management of the hospital or of any specified part thereof for the period, not exceeding six months,
25 specified in the proclamation.

(4) The Governor may revoke any such proclamation by proclamation published in the Gazette.

(5) While any proclamation under subsection
30 three of this section remains in force the Director-General of Public Health shall, for all purposes of or arising out of this Act constitute the body corporate created by section four of this Act.

(6) Where a certificate of the Board of Health has been given under subsection one of this section the Board,
35 while acting under and subject to the instructions of the Director-General of Public Health, during any period in respect of which it has given the undertaking referred to in subsection two of this section, or the Director-General of Public Health during any period for which the govern-
40 ment and management of the hospital is vested in him,
may,

Prince Henry Hospital.

may, notwithstanding anything contained in this Act, conduct and maintain the hospital in such manner and for such purposes as the Director-General of Public Health may think fit.

- 5 **30.** A general meeting of the subscribers shall be held upon a date to be appointed by the Board in the month of August in the year one thousand nine hundred and thirty-seven and in each succeeding year, at which the annual report and balance-sheet of the hospital for 10 the year ending on the thirtieth day of June last preceding the date of the meeting shall be presented.

General
meeting of
subscribers.

31. (1) The following persons shall be deemed to be subscribers:—

Subscribers.
cf. Act No. 8,
1929, s. 21.

15 (a) Any life member: A person who becomes a life member shall be deemed to be a subscriber as and from the date at which he becomes a life member.

20 (b) Any person who in any year between the first day of July and the thirtieth day of June next following has contributed to the funds of the hospital otherwise than by way of payment for relief received or which might be received by him or his dependants a sum of not less than ten shillings in one sum.

25 Such person shall be deemed to be a subscriber for twelve months from the first day of July preceding the payment of his subscription.

30 (c) Any person nominated in the manner prescribed by the by-laws by any firm or corporation or association of persons which contributes to the funds of the hospital.

Nominations shall be made in accordance with the following provisions:—

35 (i) Where the sum contributed exceeds two pounds and does not exceed fifty pounds, one person may be nominated;

40 (ii) Where the sum contributed exceeds fifty pounds, but does not exceed one hundred pounds, two persons may be nominated;

Prince Henry Hospital.

- (iii) Where the sum contributed exceeds one hundred pounds, but does not exceed two hundred pounds, three persons may be nominated;
- 5 (iv) For every one hundred pounds, or part thereof in excess of two hundred pounds contributed, one additional person may be nominated.
- 10 (d) Any person nominated in the manner prescribed by the by-laws by the promoters of any entertainment, sports meeting, carnival, or the like, held for raising funds for the hospital.
- Nominations shall be made in accordance with the following provisions:—
- 15 (i) Where the sum contributed exceeds fifty pounds and does not exceed one hundred pounds, one person may be nominated;
- 20 (ii) Where the sum contributed exceeds one hundred pounds, but does not exceed two hundred pounds, two persons may be nominated;
- (iii) Where the sum contributed exceeds two hundred pounds, three persons may be nominated.
- 25 (e) Any person nominated in the manner prescribed by the by-laws by the governing body of any association acting, with the consent of the Board of the hospital, as an auxiliary to the hospital.
- 30 Nominations shall be made in accordance with the following provisions:—
- (i) Where the sum raised by the auxiliary and paid to the hospital exceeds two pounds and does not exceed fifty pounds, one person may be nominated;
- 35 (ii) Where the sum raised by the auxiliary and paid to the hospital exceeds fifty pounds and does not exceed one hundred pounds, two persons may be nominated;
- 40 (iii)

Prince Henry Hospital.

(iii) Where the sum raised by the auxiliary and paid to the hospital exceeds one hundred pounds and does not exceed two hundred pounds, three persons may be nominated;

(iv) For every one hundred pounds or part thereof in excess of two hundred pounds raised by the auxiliary and paid to the hospital, one additional person may be nominated.

(2) Nominations may be made only in respect of sums contributed in any year between the first day of July and the thirtieth day of June next following.

Any person so nominated shall be deemed to be a subscriber for the period of twelve months from the first day of July preceding the date of his nomination.

(3) A contributor to the Metropolitan Hospitals Contribution Fund of New South Wales shall be deemed to be a subscriber to The Prince Henry Hospital if he so elects, provided that no such election shall be made until the contributor has made contributions to the fund to the amount of not less than ten shillings in the hospital year.

When any such contributor elects to be deemed a subscriber to the hospital he shall not be entitled to exercise the right of selection conferred by subsection (2A) of section twenty-one of the Public Hospitals Acts, 1929-1934, and where he has exercised such right of selection he shall not be entitled to make an election under this subsection.

(4) A person who was a subscriber to the hospital during the year ending on the thirtieth day of June immediately preceding the date upon which an election of directors is to be held shall for all purposes of or relating to such election be deemed to be a subscriber.

(5) (a) Any person may become a life member of the hospital if he contributes to the funds of the hospital otherwise than by way of payment for the relief received by him or his dependants, ten pounds at the least in one sum.

(b)

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(b) The Board may appoint as a life member of the hospital any person who has rendered meritorious service to or in connection with the hospital either before or after the commencement of this Act.

5 **32.** The Public Hospitals Acts, 1929-1934, is amended by adding to the Third Schedule thereof the name of The Prince Henry Hospital.

Amendment of Act No. 8, 1929. Third Schedule.

10 **33.** The fees to be paid in connection with post-graduate teaching in medicine carried out in the hospital by or under the authority of the University of Sydney shall be fixed by the Senate of that University, and shall be payable to the University of Sydney.

Fees in respect of post-graduate teaching.

15 **34.** (1) The Board may, with the approval of the Governor, given on the recommendation of the Commission, make by-laws not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed by the by-laws and in particular without prejudice to the generality of the foregoing power may make by-laws:—

By-laws.

20 (a) regulating the procedure for the receipt of nominations and for the election of elected directors;

25 (b) regulating the times and modes of meetings of the Board and of transacting business at such meetings;

(c) prescribing the manner in which the chairman and vice-chairman of the Board shall be elected and providing for the appointment of sub-committees of the hospital;

30 (d) for or with respect to the appointment of the honorary medical officers and for or with respect to the publication of advertisements setting out the vacancies which exist and the person with whom and the time within which applications for appointment to fill any such vacancy may be made;

35 (e) fixing the amounts to be demanded for maintenance, attendance or relief in respect of public, intermediate and private patients;

(f)

Prince Henry Hospital.

- (f) generally for the management and government of visitors and patients;
- 5 (g) fixing the fees to be charged with respect to the training of medical superintendents, hospital managers, hospital secretaries, hospital matrons, nurses, masseurs, almoners, dietitians, X-ray technicians, or pathological technicians;
- (h) fixing penalties not exceeding two pounds for any breach thereof.

10 (2) A copy of the by-laws sealed with the seal of the body corporate and purporting to be certified by the secretary of the hospital as being correct, shall, saving all just exceptions, be received in all Courts as conclusive evidence of the by-laws in force at the date of the certificate.

15 **35.** (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed by the regulations or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular and without prejudice to the generality of the foregoing power may make regulations for or with respect to—

- 25 (a) the matters which may be referred to the advisory committee for consideration and recommendation, and generally the powers, authorities, duties and functions which may be exercised and performed by the advisory committee;
- 30 (b) all matters relating to the conduct of post-graduate teaching or research work in the hospital carried on by or under the authority of the University of Sydney.

(2) The regulations shall—

- 35 (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof

Prince Henry Hospital.

thereof if Parliament is then in session, and if not then within fourteen sitting days after the commencement of the next session:

- (3) 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 or part thereof, such regulation or part shall thereupon cease to have effect.

10

SCHEDULE.

Sec. 14.

- All that piece or parcel of land situated in the Parish of Botany, County of Cumberland, Municipality of Randwick, containing an area of two hundred and forty-one acres: Commencing on the shore of the South Pacific Ocean at a point marked on rock being the south-east corner of portion six hundred and twelve of sixty-two acres two roods dedicated for Public Recreation and Public Baths by Gazette notice of twenty-first December, one thousand nine hundred and ten, and bounded thence on the north by a line in part forming the southern boundary of portion six hundred and twelve bearing west in all sixty-nine chains ninety-one and thirty-nine one-hundredths links to the north-eastern side of Anzac Parade; thence on the south-west by that side of Anzac Parade, being lines bearing respectively one hundred and seventy-one degrees fifty-four minutes fifty seconds three hundred and five and forty-six one-hundredths links; one hundred and sixty-nine degrees fifty minutes thirty seconds one hundred and fourteen and ninety-five one-hundredths links, one hundred and sixty-four degrees fifty-seven minutes forty seconds one hundred and fifteen and one-hundredth links, one hundred and sixty degrees four minutes fifty seconds one hundred and fourteen and ninety-five one-hundredths links, one hundred and fifty-six degrees one minute forty-five seconds eighty-five and eight one-hundredths links, one hundred and fifty-two degrees fourteen minutes forty-five seconds eighty-nine and seventy-one one-hundredths links; one hundred and forty-eight degrees nine minutes forty-five seconds eighty-nine and ninety-four one-hundredths links, one hundred and forty-four degrees thirty-three minutes twenty-five seconds ninety-two and fifty-three one-hundredths links, one hundred and forty-two degrees twenty-three minutes five seconds five hundred and eighty-six and sixty-three one-hundredths links, one hundred and thirty-nine degrees fifty-seven minutes forty-five seconds one hundred and twenty-one and nine-tenths links, one hundred and thirty-five degrees seven minutes fifteen seconds one hundred and twenty-one and

Prince Henry Hospital.

and ninety-three one-hundredths links, one hundred and thirty degrees sixteen minutes forty-five seconds one hundred and twenty-one and nine-tenths links, one hundred and twenty-five degrees twelve minutes fifty seconds fifty-four and seventy-five one-hundredths
5 links; one hundred and twenty-nine degrees five minutes one hundred and twenty-four and three-tenths links; one hundred and thirty-six degrees forty-nine minutes one hundred and twenty-four and three-tenths links; one hundred and forty-four degrees thirty-three minutes twenty seconds one hundred and twenty-four and three-tenths links;
10 one hundred and fifty-two degrees seventeen minutes thirty seconds one hundred and twenty-four and three-tenths links; one hundred and fifty-six degrees nine minutes forty seconds four hundred and forty-nine and thirty-five one-hundredths links; one hundred and sixty-six degrees thirty-seven minutes thirty seconds one hundred and fifty-
15 four and thirty-five one-hundredths links; one hundred and eighty-five degrees thirty-two minutes eighty-nine and fifty-two one hundredths links; one hundred and ninety-six degrees fifty-seven minutes eighty-nine and fifty-two one-hundredths links; two hundred and two degrees forty-seven minutes forty-five seconds six hundred and fifty-four and
20 twenty-five one-hundredths links; two hundred and eight degrees five minutes one hundred and thirty-six and twenty-three one-hundredths links; two hundred and sixteen degrees eighteen minutes twenty seconds one hundred and thirty-six and twenty-three one-hundredths
25 links; two hundred and twenty-four degrees thirty-one minutes forty seconds one hundred and thirty-six and twenty-three one-hundredths links, and two hundred and thirty-two degrees forty-five minutes one hundred and thirty-six and twenty-three one-hundredths links; thence again by lines bearing one hundred and ninety-nine degrees twenty-nine minutes thirty seconds one thousand two hundred and fifty-
30 seven and two one-hundredths links to a bolt in rock; thence again by lines bearing ninety-two degrees thirty-four minutes one thousand four hundred and seventy-six and five-tenths links; one hundred and ninety-eight degrees fourteen minutes twenty seconds four hundred and eighty-one and seventy-two one-hundredths links; eighty-seven
35 degrees thirty-eight minutes eight hundred and seventy and forty-eight one-hundredths links; three degrees fourteen minutes forty-five seconds three hundred and eighty-eight and ninety-two one-hundredths links; ninety-two degrees thirty-four minutes two thousand three hundred and fifty-five and seventy-five one-hundredths links, and
40 one hundred and three degrees fifty minutes four hundred and eighty-nine and twenty-four one-hundredths links to a broadarrow mark on rock on the shore of the South Pacific Ocean; thence by that shore of that ocean northerly to the point of commencement, shown on plan Ms. 9,065 Sy. Roll in the Department of Lands, Sydney.

THE UNIVERSITY OF CHICAGO

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THE UNIVERSITY OF CHICAGO

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