

New South Wales



ANNO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 25, 1955.

An Act to provide for the establishment and incorporation of a New South Wales State Cancer Council and to define its powers, authorities, duties and functions; to vest certain moneys in that Council; and for purposes connected therewith. [Assented to, 26th April, 1955.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "New South Wales State Cancer Council Act, 1955,"

Short title.

New South Wales State Cancer Council.

Definitions. **2.** In this Act, unless the context or subject-matter otherwise indicates or requires—

“Account” means the New South Wales State Cancer Council Account.

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

“Council” means the New South Wales State Cancer Council.

“Member” means member of the Council.

Constitution
of New
South
Wales State
Cancer
Council.

3. (1) There shall be constituted a New South Wales State Cancer Council, which shall carry into effect the objects and purposes of this Act and shall have and may exercise and discharge the powers, authorities, duties and functions conferred or imposed on the Council by or under this Act.

(2) The Council shall be a body corporate under the name of “The New South Wales State Cancer Council” with perpetual succession and a common seal, and shall be capable by that name of suing and being sued, and of purchasing, holding, granting, demising, 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.

Objects
of the
Council.

4. (1) The objects for which the Council is established are—

- (a) to assist and foster research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
- (b) to assist and foster post-graduate and undergraduate education and training, and education of the public, with respect to cancer;
- (c) to assist in providing training and instruction in technical matters relating to the diagnosis and treatment of cancer;

(d)

New South Wales State Cancer Council.

- (d) to co-ordinate, so far as is practicable, the activities of all institutions, hospitals and other bodies engaged in research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
 - (e) to conduct public appeals for funds for carrying out the above objects;
 - (f) in consultation with the Hospitals Commission of New South Wales, to advise the Minister on problems relating to—
 - (i) the provision of hospital accommodation for the treatment of persons suffering from cancer;
 - (ii) the provision of facilities for research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
 - (iii) the establishment of a cancer institute;
 - (g) to advise the Minister on such other matters relating to cancer as the Minister may from time to time require;
 - (h) to initiate and refer to the Minister recommendations on any matter relating to cancer.
- (2) The Council may do and perform all acts and things that are necessary or convenient for giving effect to the objects set out in subsection one of this section.

5. (1) The Council shall consist of seven members, Members of Council. one of whom shall be the Vice-Chancellor of the University of Sydney.

The other members of the Council shall be appointed by the Governor. Of the members so appointed—

- (a) one shall be a member of the Hospitals Commission of New South Wales who is a medical practitioner registered or deemed to be registered under the Medical Practitioners Act, 1938-1953;

(b)

(b)

New South Wales State Cancer Council.

- (b) one shall be a professor in the Faculty of Medicine in the University of Sydney appointed on the nomination of the Vice-Chancellor of that University;
- (c) one shall be a business executive appointed on the nomination of the Minister;
- (d) one shall be appointed on the nomination of the Minister to represent industrial interests;
- (e) one shall be appointed on the nomination of the New South Wales Branch of the British Medical Association to represent that Association;
- (f) one shall be appointed on the nomination of the Minister.

(2) The members of the Council appointed by the Governor shall, subject to this Act, hold office for three years and shall, if otherwise qualified, be eligible for reappointment.

(3) A member shall not be entitled to receive any salary, fee, allowance or remuneration for his services as a member.

(4) 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 member, and a member shall not, in his capacity as such member, be subject to the provisions of any such Act during his term of office.

**Vacation
of office.**

6. (1) A member shall be deemed to have vacated his office if he—

- (a) dies;
- (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act, 1898-1955;

(d)

New South Wales State Cancer Council.

- (d) is absent, without the leave of the Council, from four consecutive ordinary meetings of the Council;
- (e) is removed from office by the Governor; or
- (f) ceases to hold the qualification by virtue of which he was appointed as a member.

(2) The Governor may, for any cause which appears to him to be sufficient, remove any member, other than the chairman, from office.

7. Where a casual vacancy occurs in the office of a member appointed by the Governor, the Governor may appoint a person to the vacant office. The person so appointed shall have the like qualification as that of the member whose office has become vacant and shall, subject to this Act, hold office for the residue of his predecessor's term of office. Casual vacancy.

8. The Vice-Chancellor of the University of Sydney shall be the chairman of the Council, and the member appointed pursuant to paragraph (a) of subsection one of section five of this Act shall be the deputy chairman of the Council. Chairman and deputy chairman.

9. (1) The procedure for the calling of meetings of the Council and for the conduct of business at those meetings shall, subject to any by-laws in relation thereto, be as determined by the Council. Proceedings of Council.

(2) Four of the members shall form a quorum, and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Council, and shall have and may exercise and discharge all the powers, authorities, duties and functions of the Council.

A decision of a majority of the members present at a meeting of the Council shall be the decision of the Council.

New South Wales State Cancer Council.

(3) At any meeting of the Council the chairman or in his absence the deputy chairman shall preside.

If both the chairman and deputy chairman are absent from any meeting, the members present shall elect one of their number to preside at that meeting.

(4) At any meeting the chairman, or in his absence the deputy chairman or, if both the chairman and deputy chairman are absent, the person presiding at the meeting, shall have a vote, and in the case of an equality of votes a second or casting vote.

(5) The Council shall cause minutes to be kept of the proceedings at formal meetings.

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

Committees.

10. (1) The Council may establish committees for the purpose of advising the Council on matters relating to—

- (a) post-graduate and under-graduate education and training, and education of the public, with respect to cancer;
- (b) cancer research; and
- (c) such other matters as the Council may from time to time deem necessary.

(2) Each committee shall consist of—

- (a) such persons, whether members of the Council or not, as the Council may appoint thereto; and
- (b) two persons appointed thereto by the Minister.

**New South
Wales State
Cancer
Council
Account.**

11. (1) The Council shall, as soon as practicable after the commencement of this Act, establish an account to be called the "New South Wales State Cancer Council Account."

(8)

(2)

New South Wales State Cancer Council.

(2) There shall be placed to the credit of the Account—

- (a) any moneys appropriated by Parliament for the purposes of this Act; and
- (b) any moneys received by the Council from any other source—
 - (i) for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or treatment of cancer;
 - (ii) for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public with regard to cancer; or
 - (iii) for any other purpose of this Act.

(3) Upon the establishment of the Account any moneys standing to the credit of the Special Deposits Account in the Treasury known as the "Cancer Education and Research Account" shall be paid into the Account.

(4) The moneys in the Account may, subject to the terms of any trust or condition affecting those moneys or any part thereof, be applied—

- (a) for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act;
- (b) without limiting the generality of paragraph (a) of this subsection, in making grants—
 - (i) to institutions, hospitals, departments or other bodies or to individuals for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or treatment of cancer;
 - (ii)

New South Wales State Cancer Council.

(ii) to institutions, hospitals, departments or other bodies for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public, with regard to cancer; and

(c) in meeting the costs of administration of this Act.

(5) Any moneys in the Account that are not immediately required for the purposes of this Act may be invested in any manner in which trustees are for the time being authorised to invest trust funds.

Property
to be held
in trust.

12. The Council shall, subject to section eleven of this Act, hold all property acquired by it upon trust to apply the property for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act but subject to the terms of any trust or condition affecting that property.

Power to
accept
gifts, &c.

13. (1) The Council has power to acquire by gift, bequest or devise any property for any of the purposes of this Act and to agree to and carry out the conditions of the gift, bequest or devise.

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

(3) Nothing contained in the Stamp Duties Act, 1920, or in any Act amending that Act, whether passed before or after the commencement of this Act, applies to any real or personal property of any nature or kind whatsoever comprised in any gift, bequest or devise made to the Council.

14.

New South Wales State Cancer Council.

14. Where a cancer institute is constructed on land vested in, or under the control of, any hospital or separate institution within the meaning of the Public Hospitals Act, 1929, as amended by subsequent Acts, and the cost of constructing the cancer institute is met out of moneys provided by Parliament, a government department or the Council, then the board of directors or other the governing authority of the hospital or separate institution, as the case may be, shall, in governing, managing and controlling the institute, be subject to the control and direction of the Council. Cancer institutes.

15. (1) The Council may appoint and employ such persons possessing medical, scientific or technical qualifications as may be necessary for carrying out the provisions of this Act. Officers and employees.

Salaries payable pursuant to this subsection shall be part of the costs of administration of this Act.

(2) Subject to subsection one of this section, the staff of the Council shall be appointed under, and be subject to, the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(3) For the purpose of carrying out the provisions of this Act, the Council, with the approval of the Minister of the Department concerned and of the Public Service Board, may make use of the services of any of the officers and employees of the Public Service.

16. The Council shall cause to be kept proper books of account in relation to the funds of the Council and shall, as soon as practicable after the thirtieth day of June in each year, prepare and submit to the Minister for presentation to Parliament a statement of accounts in a form approved by the Auditor-General exhibiting a true and correct view of the financial position and transactions of the Council. Accounts to be rendered.

(5)
B

17.

New South Wales State Cancer Council.

Audit. **17.** The accounts of the Council shall be audited by the Auditor-General who shall have, in respect thereof, all the powers conferred on the Auditor-General by any law now or hereafter in force relating to the audit of public accounts; and the Audit Act, 1902, and any Acts amending that Act, shall apply to the members of the Council and to the officers and employees of the Council in the same manner as it applies to accounting officers of public departments.

Report of proceedings. **18.** As soon as practicable after the thirtieth day of June in each year, the Council shall prepare and transmit to the Minister for presentation to Parliament a report of the proceedings of the Council during the period of twelve months immediately preceding that day.

By-laws. **19.** (1) The Council may make by-laws, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without prejudice to the generality of the power conferred by subsection one of this section the Council may make by-laws—

(a) regulating the conduct of business at meetings of the Council, including the times and places of meetings;

(b) prescribing the circumstances in which and the terms and conditions upon which any property vested in the Council may be applied for any purpose for which it may be applied in accordance with this Act.

(3) The by-laws shall—

(a) be submitted to the Governor for his approval;

(b) after approval be published in the Gazette;

(c) take effect from the date of publication or from a later date to be specified in the by-laws;

(d)

New South Wales State Cancer Council.

- (d) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the by-laws have been laid before such House disallowing any by-law or part thereof, such by-law or part shall thereupon cease to have effect.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1955.

New South Wales Copyright Act

(d) be laid before both houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution to which notice has been given at any time within fifteen sitting days after the bill has been laid before that House disallowing any by-law or part thereof, such by-law or part shall thereupon cease to have effect.

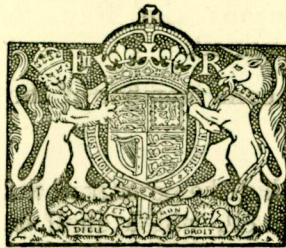
In Authority: A. H. Forsey, Government Printer, Sydney, N.S.W.

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.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 31 March, 1955.*

New South Wales



ANNO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 25, 1955.

An Act to provide for the establishment and incorporation of a New South Wales State Cancer Council and to define its powers, authorities, duties and functions; to vest certain moneys in that Council; and for purposes connected therewith. [Assented to, 26th April, 1955.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "New South Wales State Cancer Council Act, 1955." Short title.

2.

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

New South Wales State Cancer Council.

Definitions. **2.** In this Act, unless the context or subject-matter otherwise indicates or requires—

“Account” means the New South Wales State Cancer Council Account.

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Constitution
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South
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3. (1) There shall be constituted a New South Wales State Cancer Council, which shall carry into effect the objects and purposes of this Act and shall have and may exercise and discharge the powers, authorities, duties and functions conferred or imposed on the Council by or under this Act.

(2) The Council shall be a body corporate under the name of “The New South Wales State Cancer Council” with perpetual succession and a common seal, and shall be capable by that name of suing and being sued, and of purchasing, holding, granting, demising, 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.

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- (c) to assist in providing training and instruction in technical matters relating to the diagnosis and treatment of cancer;

(d)

New South Wales State Cancer Council.

- (d) to co-ordinate, so far as is practicable, the activities of all institutions, hospitals and other bodies engaged in research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
 - (e) to conduct public appeals for funds for carrying out the above objects;
 - (f) in consultation with the Hospitals Commission of New South Wales, to advise the Minister on problems relating to—
 - (i) the provision of hospital accommodation for the treatment of persons suffering from cancer;
 - (ii) the provision of facilities for research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
 - (iii) the establishment of a cancer institute;
 - (g) to advise the Minister on such other matters relating to cancer as the Minister may from time to time require;
 - (h) to initiate and refer to the Minister recommendations on any matter relating to cancer.
- (2) The Council may do and perform all acts and things that are necessary or convenient for giving effect to the objects set out in subsection one of this section.

5. (1) The Council shall consist of seven members, ^{Members} one of whom shall be the Vice-Chancellor of the ^{of Council.} University of Sydney.

The other members of the Council shall be appointed by the Governor. Of the members so appointed—

- (a) one shall be a member of the Hospitals Commission of New South Wales who is a medical practitioner registered or deemed to be registered under the Medical Practitioners Act, 1938-1953;

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New South Wales State Cancer Council.

- (b) one shall be a professor in the Faculty of Medicine in the University of Sydney appointed on the nomination of the Vice-Chancellor of that University;
- (c) one shall be a business executive appointed on the nomination of the Minister;
- (d) one shall be appointed on the nomination of the Minister to represent industrial interests;
- (e) one shall be appointed on the nomination of the New South Wales Branch of the British Medical Association to represent that Association;
- (f) one shall be appointed on the nomination of the Minister.

(2) The members of the Council appointed by the Governor shall, subject to this Act, hold office for three years and shall, if otherwise qualified, be eligible for reappointment.

(3) A member shall not be entitled to receive any salary, fee, allowance or remuneration for his services as a member.

(4) 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 member, and a member shall not, in his capacity as such member, be subject to the provisions of any such Act during his term of office.

Vacation
of office.

6. (1) A member shall be deemed to have vacated his office if he—

- (a) dies;
- (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act, 1898-1955;

(d)

New South Wales State Cancer Council.

- (d) is absent, without the leave of the Council, from four consecutive ordinary meetings of the Council;
- (e) is removed from office by the Governor; or
- (f) ceases to hold the qualification by virtue of which he was appointed as a member.

(2) The Governor may, for any cause which appears to him to be sufficient, remove any member, other than the chairman, from office.

7. Where a casual vacancy occurs in the office of a member appointed by the Governor, the Governor may appoint a person to the vacant office. The person so appointed shall have the like qualification as that of the member whose office has become vacant and shall, subject to this Act, hold office for the residue of his predecessor's term of office.

8. The Vice-Chancellor of the University of Sydney shall be the chairman of the Council, and the member appointed pursuant to paragraph (a) of subsection one of section five of this Act shall be the deputy chairman of the Council.

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

(2) Four of the members shall form a quorum, and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Council, and shall have and may exercise and discharge all the powers, authorities, duties and functions of the Council.

A decision of a majority of the members present at a meeting of the Council shall be the decision of the Council.

New South Wales State Cancer Council.

(3) At any meeting of the Council the chairman or in his absence the deputy chairman shall preside.

If both the chairman and deputy chairman are absent from any meeting, the members present shall elect one of their number to preside at that meeting.

(4) At any meeting the chairman, or in his absence the deputy chairman or, if both the chairman and deputy chairman are absent, the person presiding at the meeting, shall have a vote, and in the case of an equality of votes a second or casting vote.

(5) The Council shall cause minutes to be kept of the proceedings at formal meetings.

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

Committees.

10. (1) The Council may establish committees for the purpose of advising the Council on matters relating to—

- (a) post-graduate and under-graduate education and training, and education of the public, with respect to cancer;
- (b) cancer research; and
- (c) such other matters as the Council may from time to time deem necessary.

(2) Each committee shall consist of—

- (a) such persons, whether members of the Council or not, as the Council may appoint thereto; and
- (b) two persons appointed thereto by the Minister.

**New South
Wales State
Cancer
Council
Account.**

11. (1) The Council shall, as soon as practicable after the commencement of this Act, establish an account to be called the "New South Wales State Cancer Council Account."

(2)

New South Wales State Cancer Council.

(2) There shall be placed to the credit of the Account—

- (a) any moneys appropriated by Parliament for the purposes of this Act; and
- (b) any moneys received by the Council from any other source—
 - (i) for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or treatment of cancer;
 - (ii) for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public with regard to cancer; or
 - (iii) for any other purpose of this Act.

(3) Upon the establishment of the Account any moneys standing to the credit of the Special Deposits Account in the Treasury known as the "Cancer Education and Research Account" shall be paid into the Account.

(4) The moneys in the Account may, subject to the terms of any trust or condition affecting those moneys or any part thereof, be applied—

- (a) for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act;
- (b) without limiting the generality of paragraph (a) of this subsection, in making grants—
 - (i) to institutions, hospitals, departments or other bodies or to individuals for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or treatment of cancer;
 - (ii)

New South Wales State Cancer Council.

(ii) to institutions, hospitals, departments or other bodies for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public, with regard to cancer; and

(c) in meeting the costs of administration of this Act.

(5) Any moneys in the Account that are not immediately required for the purposes of this Act may be invested in any manner in which trustees are for the time being authorised to invest trust funds.

Property
to be held
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12. The Council shall, subject to section eleven of this Act, hold all property acquired by it upon trust to apply the property for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act but subject to the terms of any trust or condition affecting that property.

Power to
accept
gifts, &c.

13. (1) The Council has power to acquire by gift, bequest or devise any property for any of the purposes of this Act and to agree to and carry out the conditions of the gift, bequest or devise.

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

(3) Nothing contained in the Stamp Duties Act, 1920, or in any Act amending that Act, whether passed before or after the commencement of this Act, applies to any real or personal property of any nature or kind whatsoever comprised in any gift, bequest or devise made to the Council.

14.

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14. Where a cancer institute is constructed on land vested in, or under the control of, any hospital or separate institution within the meaning of the Public Hospitals Act, 1929, as amended by subsequent Acts, and the cost of constructing the cancer institute is met out of moneys provided by Parliament, a government department or the Council, then the board of directors or other the governing authority of the hospital or separate institution, as the case may be, shall, in governing, managing and controlling the institute, be subject to the control and direction of the Council. Cancer institutes.

15. (1) The Council may appoint and employ such persons possessing medical, scientific or technical qualifications as may be necessary for carrying out the provisions of this Act. Officers and employees.

Salaries payable pursuant to this subsection shall be part of the costs of administration of this Act.

(2) Subject to subsection one of this section, the staff of the Council shall be appointed under, and be subject to, the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(3) For the purpose of carrying out the provisions of this Act, the Council, with the approval of the Minister of the Department concerned and of the Public Service Board, may make use of the services of any of the officers and employees of the Public Service.

16. The Council shall cause to be kept proper books of account in relation to the funds of the Council and shall, as soon as practicable after the thirtieth day of June in each year, prepare and submit to the Minister for presentation to Parliament a statement of accounts in a form approved by the Auditor-General exhibiting a true and correct view of the financial position and transactions of the Council. Accounts to be rendered.

17.

New South Wales State Cancer Council.

- Audit.** **17.** The accounts of the Council shall be audited by the Auditor-General who shall have, in respect thereof, all the powers conferred on the Auditor-General by any law now or hereafter in force relating to the audit of public accounts; and the Audit Act, 1902, and any Acts amending that Act, shall apply to the members of the Council and to the officers and employees of the Council in the same manner as it applies to accounting officers of public departments.
- Report of proceedings.** **18.** As soon as practicable after the thirtieth day of June in each year, the Council shall prepare and transmit to the Minister for presentation to Parliament a report of the proceedings of the Council during the period of twelve months immediately preceding that day.
- By-laws.** **19.** (1) The Council may make by-laws, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) Without prejudice to the generality of the power conferred by subsection one of this section the Council may make by-laws—
- (a) regulating the conduct of business at meetings of the Council, including the times and places of meetings;
- (b) prescribing the circumstances in which and the terms and conditions upon which any property vested in the Council may be applied for any purpose for which it may be applied in accordance with this Act.
- (3) The by-laws shall—
- (a) be submitted to the Governor for his approval;
- (b) after approval be published in the Gazette;
- (c) take effect from the date of publication or from a later date to be specified in the by-laws;
- (d)

New South Wales State Cancer Council.

- (d) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the by-laws have been laid before such House disallowing any by-law or part thereof, such by-law or part shall thereupon cease to have effect.

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

J. NORTHCOTT,
Governor.

*Government House
Sydney, 26th April, 1955.*

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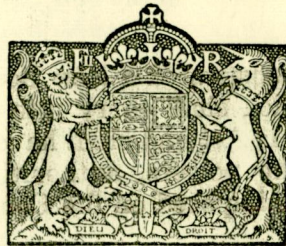
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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 31 March, 1955.*

New South Wales



ANNO QUARTO

ELIZABETHÆ II REGINÆ

Act No. , 1955.

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1. This Act may be cited as the "New South Wales State Cancer Council Act, 1955." Short title.

2.

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

“Account” means the New South Wales State Cancer Council Account;

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

“Council” means the New South Wales State Cancer Council.

“Member” means member of the Council.

3. (1) There shall be constituted a New South Wales State Cancer Council, which shall carry into effect the objects and purposes of this Act and shall have and may exercise and discharge the powers, authorities, duties and functions conferred or imposed on the Council by or under this Act. Constitution
of New
South
Wales State
Cancer
Council.

15 (2) The Council shall be a body corporate under the name of “The New South Wales State Cancer Council” with perpetual succession and a common seal, and shall be capable by that name of suing and being sued, and of purchasing, holding, granting, demising,
20 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.

4. (1) The objects for which the Council is established are— Objects
of the
Council.

25 (a) to assist and foster research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;

(b) to assist and foster post-graduate and under-graduate education and training, and education
30 of the public, with respect to cancer;

(c) to assist in providing training and instruction in technical matters relating to the diagnosis and treatment of cancer;

(d)

New South Wales State Cancer Council.

- 5 (d) to co-ordinate, so far as is practicable, the activities of all institutions, hospitals and other bodies engaged in research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
- (e) to conduct public appeals for funds for carrying out the above objects;
- 10 (f) in consultation with the Hospitals Commission of New South Wales, to advise the Minister on problems relating to—
- (i) the provision of hospital accommodation for the treatment of persons suffering from cancer;
- 15 (ii) the provision of facilities for research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
- (iii) the establishment of a cancer institute;
- 20 (g) to advise the Minister on such other matters relating to cancer as the Minister may from time to time require;
- (h) to initiate and refer to the Minister recommendations on any matter relating to cancer.
- 25 (2) The Council may do and perform all acts and things that are necessary or convenient for giving effect to the objects set out in subsection one of this section.

5. (1) The Council shall consist of seven members, ^{Members} one of whom shall be the Vice-Chancellor of the ^{of Council.} University of Sydney.

30 The other members of the Council shall be appointed by the Governor. Of the members so appointed—

- 35 (a) one shall be a member of the Hospitals Commission of New South Wales who is a medical practitioner registered or deemed to be registered under the Medical Practitioners Act, 1938-1953;

(b)

New South Wales State Cancer Council.

- 5 (b) one shall be a professor in the Faculty of Medicine in the University of Sydney appointed on the nomination of the Vice-Chancellor of that University;
- (c) one shall be a business executive appointed on the nomination of the Minister;
- (d) one shall be appointed on the nomination of the Minister to represent industrial interests;
- 10 (e) one shall be appointed on the nomination of the New South Wales Branch of the British Medical Association to represent that Association;
- (f) one shall be appointed on the nomination of the Minister.

15 (2) The members of the Council appointed by the Governor shall, subject to this Act, hold office for three years and shall, if otherwise qualified, be eligible for reappointment.

20 (3) A member shall not be entitled to receive any salary, fee, allowance or remuneration for his services as a member.

25 (4) 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 member, and a member shall not, in his capacity as such member, be subject to the the provisions of any such Act during his term of office.

6. (1) A member shall be deemed to have vacated his office if he— Vacation of office.

- 30 (a) dies;
- (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act, 1898-1955;
- (d)

New South Wales State Cancer Council.

- (d) is absent, without the leave of the Council, from four consecutive ordinary meetings of the Council;
- (e) is removed from office by the Governor; or
- (f) ceases to hold the qualification by virtue of which he was appointed as a member.

5 (2) The Governor may, for any cause which appears to him to be sufficient, remove any member, other than the chairman, from office.

7. Where a casual vacancy occurs in the office of a 10 member appointed by the Governor, the Governor may appoint a person to the vacant office. The person so appointed shall have the like qualification as that of the member whose office has become vacant and shall, subject to this Act, hold office for the residue of his 15 predecessor's term of office. Casual vacancy.

8. The Vice-Chancellor of the University of Sydney shall be the chairman of the Council, and the member appointed pursuant to paragraph (a) of subsection one of section five of this Act shall be the deputy chairman 20 of the Council. Chairman and deputy chairman.

9. (1) The procedure for the calling of meetings of the Council and for the conduct of business at those meetings shall, subject to any by-laws in relation thereto, be as determined by the Council. 25 Proceedings of Council.

(2) Four of the members shall form a quorum, and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Council, and shall have and may exercise and discharge all the powers, authorities, duties and functions of the 30 Council.

A decision of a majority of the members present at a meeting of the Council shall be the decision of the Council.

(3)

New South Wales State Cancer Council.

(3) At any meeting of the Council the chairman or in his absence the deputy chairman shall preside.

If both the chairman and deputy chairman are absent from any meeting, the members present shall elect one of their number to preside at that meeting.

(4) At any meeting the chairman, or in his absence the deputy chairman or, if both the chairman and deputy chairman are absent, the person presiding at the meeting, shall have a vote, and in the case of an equality of votes a second or casting vote.

(5) The Council shall cause minutes to be kept of the proceedings at formal meetings.

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

10. (1) The Council may establish committees for the purpose of advising the Council on matters relating to—

- (a) post-graduate and under-graduate education and training, and education of the public, with respect to cancer;
- (b) cancer research; and
- (c) such other matters as the Council may from time to time deem necessary.

(2) Each committee shall consist of—

- (a) such persons, whether members of the Council or not, as the Council may appoint thereto; and
- (b) two persons appointed thereto by the Minister.

11. (1) The Council shall, as soon as practicable after the commencement of this Act, establish an account to be called the "New South Wales State Cancer Council Account."

New South
Wales State
Cancer
Council
Account.

New South Wales State Cancer Council.

(2) There shall be placed to the credit of the Account—

(a) any moneys appropriated by Parliament for the purposes of this Act; and

5 (b) any moneys received by the Council from any other source—

(i) for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or treatment of cancer;

10 (ii) for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public with regard to cancer; or

15 (iii) for any other purpose of this Act.

(3) Upon the establishment of the Account any moneys standing to the credit of the Special Deposits Account in the Treasury known as the "Cancer Education and Research Account" shall be paid into the

20 Account.

(4) The moneys in the Account may, subject to the terms of any trust or condition affecting those moneys or any part thereof, be applied—

25 (a) for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act;

(b) without limiting the generality of paragraph (a) of this subsection, in making grants—

30 (i) to institutions, hospitals, departments or other bodies or to individuals for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or treatment of cancer;

35

(ii)

New South Wales State Cancer Council.

5 (ii) to institutions, hospitals, departments or other bodies for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public, with regard to cancer; and

7 (c) in meeting the costs of administration of this Act.

10 (5) Any moneys in the Account that are not immediately required for the purposes of this Act may be invested in any manner in which trustees are for the time being authorised to invest trust funds.

15 **12.** The Council shall, subject to section eleven of this Act, hold all property acquired by it upon trust to apply the property for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act but subject to the terms of any trust or condition affecting that property. Property to be held in trust.

20 **13.** (1) The Council has power to acquire by gift, bequest or devise any property for any of the purposes of this Act and to agree to and carry out the conditions of the gift, bequest or devise. Power to accept gifts, &c.

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

(3) Nothing contained in the Stamp Duties Act, 1920, or in any Act amending that Act, whether passed before or after the commencement of this Act, applies to any real or personal property of any nature or kind whatsoever comprised in any gift, bequest or devise made to the Council.

14.

New South Wales State Cancer Council.

14. Where a cancer institute is constructed on land
 vested in, or under the control of, any hospital or
 separate institution within the meaning of the Public
 Hospitals Act, 1929, as amended by subsequent Acts,
 5 and the cost of constructing the cancer institute is met
 out of moneys provided by Parliament, a government
 department or the Council, then the board of directors
 or other the governing authority of the hospital or
 separate institution, as the case may be, shall, in
 10 governing, managing and controlling the institute, be
 subject to the control and direction of the Council.

Cancer institutes.

15. (1) The Council may appoint and employ such
 persons possessing medical, scientific or technical
 qualifications as may be necessary for carrying out the
 15 provisions of this Act.

Officers and employees.

Salaries payable pursuant to this subsection shall be part of the costs of administration of this Act.

(2) Subject to subsection one of this section, the
 staff of the Council shall be appointed under, and be
 20 subject to, the provisions of the Public Service Act, 1902,
 as amended by subsequent Acts.

(3) For the purpose of carrying out the provisions
 of this Act, the Council, with the approval of the
 Minister of the Department concerned and of the Public
 25 Service Board, may make use of the services of any of
 the officers and employees of the Public Service.

16. The Council shall cause to be kept proper books
 of account in relation to the funds of the Council and
 shall, as soon as practicable after the thirtieth day of
 30 June in each year, prepare and submit to the Minister
 for presentation to Parliament a statement of accounts
 in a form approved by the Auditor-General exhibiting
 a true and correct view of the financial position and
 transactions of the Council.

Accounts to be rendered.

New South Wales State Cancer Council.

- 5 **17.** The accounts of the Council shall be audited by ^{Audit.} the Auditor-General who shall have, in respect thereof, all the powers conferred on the Auditor-General by any law now or hereafter in force relating to the audit of public accounts; and the Audit Act, 1902, and any Acts amending that Act, shall apply to the members of the Council and to the officers and employees of the Council in the same manner as it applies to accounting officers of public departments.
- 10 **18.** As soon as practicable after the thirtieth day of ^{Report of} June in each year, the Council shall prepare and transmit ^{proceedings.} to the Minister for presentation to Parliament a report of the proceedings of the Council during the period of twelve months immediately preceding that day.
- 15 **19.** (1) The Council may make by-laws, not incon- ^{By-laws.} sistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- 20 (2) Without prejudice to the generality of the power conferred by subsection one of this section the Council may make by-laws—
- 25 (a) regulating the conduct of business at meetings of the Council, including the times and places of meetings;
- 30 (b) prescribing the circumstances in which and the terms and conditions upon which any property vested in the Council may be applied for any purpose for which it may be applied in accordance with this Act.
- 35 (3) The by-laws shall—
- (a) be submitted to the Governor for his approval;
- (b) after approval be published in the Gazette;
- (c) take effect from the date of publication or from a later date to be specified in the by-laws;
- (d)

New South Wales State Cancer Council.

- 5 (d) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the by-laws have been laid before such House disallowing any by-law or part thereof, such 10 by-law or part shall thereupon cease to have effect.

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No. , 1955.

A BILL

To provide for the establishment and incorporation of a New South Wales State Cancer Council and to define its powers, authorities, duties and functions; to vest certain moneys in that Council; and for purposes connected therewith.

[Mr. O'SULLIVAN ;—29 *March*, 1955.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

1. This Act may be cited as the "New South Wales Short title.
State Cancer Council Act, 1955."

2.

New South Wales State Cancer Council.

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

“Account” means the New South Wales State Cancer Council Account.

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

“Council” means the New South Wales State Cancer Council.

“Member” means member of the Council.

3. (1) There shall be constituted a New South Wales State Cancer Council, which shall carry into effect the objects and purposes of this Act and shall have and may exercise and discharge the powers, authorities, duties and functions conferred or imposed on the Council by or under this Act.

Constitution
of New
South
Wales State
Cancer
Council.

15 (2) The Council shall be a body corporate under the name of “The New South Wales State Cancer Council” with perpetual succession and a common seal, and shall be capable by that name of suing and being sued, and of purchasing, holding, granting, demising, 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.

4. (1) The objects for which the Council is established are—

Objects
of the
Council.

25 (a) to assist and foster research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;

(b) to assist and foster post-graduate and undergraduate education and training, and education of the public, with respect to cancer;

30 (c) to assist in providing training and instruction in technical matters relating to the diagnosis and treatment of cancer;

(d)

New South Wales State Cancer Council.

- 5 (d) to co-ordinate, so far as is practicable, the activities of all institutions, hospitals and other bodies engaged in research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
- (e) to conduct public appeals for funds for carrying out the above objects;
- 10 (f) in consultation with the Hospitals Commission of New South Wales, to advise the Minister on problems relating to—
- (i) the provision of hospital accommodation for the treatment of persons suffering from cancer;
- 15 (ii) the provision of facilities for research and investigation with respect to the causation, prevention, diagnosis and treatment of cancer;
- (iii) the establishment of a cancer institute;
- 20 (g) to advise the Minister on such other matters relating to cancer as the Minister may from time to time require;
- (h) to initiate and refer to the Minister recommendations on any matter relating to cancer.
- (2) The Council may do and perform all acts and 25 things that are necessary or convenient for giving effect to the objects set out in subsection one of this section.
5. (1) The Council shall consist of seven members, ^{Members} one of whom shall be the Vice-Chancellor of the ^{of Council.} University of Sydney.
- 30 The other members of the Council shall be appointed by the Governor. Of the members so appointed—
- (a) one shall be a member of the Hospitals Commission of New South Wales who is a medical practitioner registered or deemed to be 35 registered under the Medical Practitioners Act, 1938-1953;
- (b)

New South Wales State Cancer Council.

- (b) one shall be a professor in the Faculty of Medicine in the University of Sydney appointed on the nomination of the Vice-Chancellor of that University;
- 5 (c) one shall be a business executive appointed on the nomination of the Minister;
- (d) one shall be appointed on the nomination of the Minister to represent industrial interests;
- 10 (e) one shall be appointed on the nomination of the New South Wales Branch of the British Medical Association to represent that Association;
- (f) one shall be appointed on the nomination of the Minister.

(2) The members of the Council appointed by the
15 Governor shall, subject to this Act, hold office for three years and shall, if otherwise qualified, be eligible for reappointment.

(3) A member shall not be entitled to receive any salary, fee, allowance or remuneration for his services
20 as a member.

(4) 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 member, and a member shall not, in his capacity as such member, be subject to
25 the the provisions of any such Act during his term of office.

6. (1) A member shall be deemed to have vacated his office if he— Vacation
of office.

- (a) dies;
- 30 (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act, 1898-1955;
- (d)

New South Wales State Cancer Council.

- (d) is absent, without the leave of the Council, from four consecutive ordinary meetings of the Council;
- (e) is removed from office by the Governor; or
- 5 (f) ceases to hold the qualification by virtue of which he was appointed as a member.

(2) The Governor may, for any cause which appears to him to be sufficient, remove any member, other than the chairman, from office.

- 10 **7.** Where a casual vacancy occurs in the office of a member appointed by the Governor, the Governor may appoint a person to the vacant office. The person so appointed shall have the like qualification as that of the member whose office has become vacant and shall, subject to this Act, hold office for the residue of his predecessor's term of office.

15 **8.** The Vice-Chancellor of the University of Sydney shall be the chairman of the Council, and the member appointed pursuant to paragraph (a) of subsection one of section five of this Act shall be the deputy chairman of the Council.

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

(2) Four of the members shall form a quorum, and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Council, and shall have and may exercise and discharge all the powers, authorities, duties and functions of the Council.

A decision of a majority of the members present at a meeting of the Council shall be the decision of the Council.

(3)

New South Wales State Cancer Council.

(3) At any meeting of the Council the chairman or in his absence the deputy chairman shall preside.

If both the chairman and deputy chairman are absent from any meeting, the members present shall elect one
5 of their number to preside at that meeting.

(4) At any meeting the chairman, or in his absence the deputy chairman or, if both the chairman and deputy chairman are absent, the person presiding at the meeting, shall have a vote, and in the case of an equality of votes a
10 second or casting vote.

(5) The Council shall cause minutes to be kept of the proceedings at formal meetings.

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

10. (1) The Council may establish committees for Committees.
the purpose of advising the Council on matters relating
20 to—

- (a) post-graduate and under-graduate education and training, and education of the public, with respect to cancer;
- (b) cancer research; and
- 25 (c) such other matters as the Council may from time to time deem necessary.

(2) Each committee shall consist of—

- (a) such persons, whether members of the Council or not, as the Council may appoint thereto; and
- 30 (b) two persons appointed thereto by the Minister.

11. (1) The Council shall, as soon as practicable after the commencement of this Act, establish an account to be called the "New South Wales State Cancer Council Account."
New South Wales State Cancer Council Account.

(2)

New South Wales State Cancer Council.

(2) There shall be placed to the credit of the Account—

- (a) any moneys appropriated by Parliament for the purposes of this Act; and
- 5 (b) any moneys received by the Council from any other source—
 - 10 (i) for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or treatment of cancer;
 - (ii) for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public with regard to cancer; or
 - 15 (iii) for any other purpose of this Act.

(3) Upon the establishment of the Account any moneys standing to the credit of the Special Deposits Account in the Treasury known as the "Cancer Education and Research Account" shall be paid into the
20 Account.

(4) The moneys in the Account may, subject to the terms of any trust or condition affecting those moneys or any part thereof, be applied—

- 25 (a) for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act;
- (b) without limiting the generality of paragraph (a) of this subsection, in making grants—
 - 30 (i) to institutions, hospitals, departments or other bodies or to individuals for, or for the encouragement of, research or investigation with respect to the causation, prevention, diagnosis or
35 treatment of cancer;
 - (ii)

New South Wales State Cancer Council.

5 (ii) to institutions, hospitals, departments or other bodies for, or for the encouragement of, post-graduate or under-graduate education or training, or education of the public, with regard to cancer; and

(c) in meeting the costs of administration of this Act.

10 (5) Any moneys in the Account that are not immediately required for the purposes of this Act may be invested in any manner in which trustees are for the time being authorised to invest trust funds.

15 **12.** The Council shall, subject to section eleven of this Act, hold all property acquired by it upon trust to apply the property for the purpose of carrying out or giving effect to all or any of the objects set out in paragraphs (a), (b), (c), (d) and (e) of subsection one of section four of this Act but subject to the terms of any trust or condition affecting that property. Property to be held in trust.

20 **13.** (1) The Council has power to acquire by gift, bequest or devise any property for any of the purposes of this Act and to agree to and carry out the conditions of the gift, bequest or devise. Power to accept gifts, &c.

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

30 (3) Nothing contained in the Stamp Duties Act, 1920, or in any Act amending that Act, whether passed before or after the commencement of this Act, applies to any real or personal property of any nature or kind whatsoever comprised in any gift, bequest or devise made to the Council.

14.

New South Wales State Cancer Council.

14. Where a cancer institute is constructed on land
vested in, or under the control of, any hospital or
separate institution within the meaning of the Public
Hospitals Act, 1929, as amended by subsequent Acts,
5 and the cost of constructing the cancer institute is met
out of moneys provided by Parliament, a government
department or the Council, then the board of directors
or other the governing authority of the hospital or
separate institution, as the case may be, shall, in
10 governing, managing and controlling the institute, be
subject to the control and direction of the Council.

Cancer
institutes.

15. (1) The Council may appoint and employ such
persons possessing medical, scientific or technical
qualifications as may be necessary for carrying out the
15 provisions of this Act.

Officers
and
employees.

Salaries payable pursuant to this subsection shall be
part of the costs of administration of this Act.

(2) Subject to subsection one of this section, the
staff of the Council shall be appointed under, and be
20 subject to, the provisions of the Public Service Act, 1902,
as amended by subsequent Acts.

(3) For the purpose of carrying out the provisions
of this Act, the Council, with the approval of the
Minister of the Department concerned and of the Public
25 Service Board, may make use of the services of any of
the officers and employees of the Public Service.

16. The Council shall cause to be kept proper books
of account in relation to the funds of the Council and
shall, as soon as practicable after the thirtieth day of
30 June in each year, prepare and submit to the Minister
for presentation to Parliament a statement of accounts
in a form approved by the Auditor-General exhibiting
a true and correct view of the financial position and
transactions of the Council.

Accounts
to be
rendered.

New South Wales State Cancer Council.

17. The accounts of the Council shall be audited by ^{Audit.} the Auditor-General who shall have, in respect thereof, all the powers conferred on the Auditor-General by any law now or hereafter in force relating to the audit of public accounts; and the Audit Act, 1902, and any Acts amending that Act, shall apply to the members of the Council and to the officers and employees of the Council in the same manner as it applies to accounting officers of public departments.
18. As soon as practicable after the thirtieth day of ^{Report of} June in each year, the Council shall prepare and transmit ^{proceedings.} to the Minister for presentation to Parliament a report of the proceedings of the Council during the period of twelve months immediately preceding that day.
19. (1) The Council may make by-laws, not incon- ^{By-laws.} sistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) Without prejudice to the generality of the power conferred by subsection one of this section the Council may make by-laws—
- (a) regulating the conduct of business at meetings of the Council, including the times and places of meetings;
- (b) prescribing the circumstances in which and the terms and conditions upon which any property vested in the Council may be applied for any purpose for which it may be applied in accordance with this Act.
- (3) The by-laws shall—
- (a) be submitted to the Governor for his approval;
- (b) after approval be published in the Gazette;
- (c) take effect from the date of publication or from a later date to be specified in the by-laws;
- (d)

New South Wales State Cancer Council.

- 5 (d) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the by-laws have been laid before such House disallowing any by-law or part thereof, such 10 by-law or part shall thereupon cease to have effect.

Section 1055

(b) be and before both houses of Parliament within
fourteen sitting days after publication of
Parliamentary orders and if not then within
fourteen sitting days after the commencement
of the next session.

If either House of Parliament passes a resolution of
which notice has been given at any time within fifteen
sitting days after the orders have been laid before such
House disallowing any order or part thereof, such
order or part shall thereupon cease to have effect.