

*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.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 28 February, 1961.*

## New South Wales



ANNO DECIMO

# ELIZABETHÆ II REGINÆ

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**Act No.           , 1961.**

An Act to make certain provisions with respect to the Sydney Hospital; for this purpose to amend the Public Hospitals Act, 1929-1959; to repeal the Sydney Hospital Act of 1881; and for purposes connected therewith.

**B**E 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. (1) This Act may be cited as the "Public Hospitals (Amendment) Act, 1961".

Short title,  
citation and  
commence-  
ment.

*Public Hospitals (Amendment).*

(2) The Public Hospitals Act, 1929, as amended by subsequent Acts and by this Act, and by orders of the Governor pursuant to section four of the Public Hospitals Act, 1929, as so amended, may be cited as the Public Hospitals Act, 1929-1961.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Public Hospitals Act, 1929, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
8, 1929.

(a) by inserting in subsection two of section one next after the matter relating to Part VI the following new matter :—

Sec. 1(2).  
(Division  
of Act.)

PART VIA.—PRINCE HENRY HOSPITAL.

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PART VIB.—SYDNEY HOSPITAL.

(b) (i) by omitting from subsection three of section four the words “or the Prince Henry Hospital” and by inserting in lieu thereof the words “, the Prince Henry Hospital or the Sydney Hospital”;

Sec. 4.  
(Application  
of Act.)

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(ii) by inserting at the end of subsection six of the same section the following new paragraph :—

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(h) On the day upon which an order is published pursuant to this section adding to the Second Schedule the name of the Sydney Hospital—

(i) the Sydney Hospital Act of 1881 shall be repealed;

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(ii) the Third Schedule shall be amended by omitting the words “The Sydney Hospital”.

(c)

*Public Hospitals (Amendment).*

(c) by inserting next after section 33F the following new Part :— New Part  
VIb.

PART VIb.

SYDNEY HOSPITAL.

5           33G. This Part of this Act shall commence on the day upon which an order is published under section four of this Act adding to the Second Schedule the name of the Sydney Hospital. Commence-  
ment.

10           33H. (1) All persons who, immediately before the commencement of this Part of this Act, were officers, servants or members of the medical staff of the Board of Directors of the Sydney Hospital constituted under the Sydney Hospital Act of 1881, shall be deemed to have been appointed by the Board of Directors of the Sydney Hospital constituted under this Act as officers, employees or members of the medical staff, respectively, of the lastmentioned Board of Directors. Transfer of  
officers,  
servants  
and medical  
staff.

15  
20           (2) Any such person shall retain any rights accrued or accruing under the Local Government (Superannuation) Act, 1927, the Sydney Hospital Act of 1881, or any other Act, including the right to continue to contribute to any fund or account, and to receive any annual, sick, deferred or extended leave and any payment, pension or gratuity there-  
25           under, and for any such purpose his service as an officer, employee or member of the medical staff of the Board of Directors of the Sydney Hospital constituted under this Act shall be deemed to be  
30           service for the purpose of any such Act.

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

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*Public Hospitals (Amendment).*

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33i. (1) The Board of Directors of the Sydney Hospital shall not make any appointment to the medical staff of the hospital unless—

Appoint-  
ments to  
medical  
staff.

- 5 (a) an advertisement inviting applications for such appointment has been published in the Medical Journal of Australia, or, where such publication cannot be effected, in a Sydney daily newspaper ;
- 10 (b) all such applications have been referred to the Sydney Hospital Medical Appointments Advisory Committee (in this section called "the Committee") constituted as hereinafter provided ;
- 15 (c) any recommendations, made by the Committee, have been taken into consideration by the Board of Directors of the Sydney Hospital.

20 (2) (a) There shall be constituted a Sydney Hospital Medical Appointments Advisory Committee consisting of six medical practitioners appointed by the Board of Directors of the Sydney Hospital.

25 (b) Of the members so appointed three shall be medical practitioners from a panel nominated by the Council of the University of New South Wales.

(c) A medical practitioner who is a member of the Board of Directors of the Sydney Hospital shall not be eligible for appointment as a member of the Committee.

30 (3) The Committee in making any recommendations to the Board of Directors of the Sydney Hospital under this section shall do so with the view to informing such Board of the Committee's opinion as to the applicants best qualified for the relevant appointments to the medical staff.

35

No. , 1961.

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## A BILL

To enable the Director-General of Public Health to nominate persons to act in his place on certain boards and committees; for this and other purposes to amend the Public Health Act, 1902, and certain other Acts; and for purposes connected therewith.

[MR. SHEAHAN;—14 *March*, 1961.]

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**B**E 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. (1) This Act may be cited as the "Public Health (Amendment) Act, 1961".

(2)

Short title  
and com-  
mencement.

*Public Health (Amendment).*

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. (1) The Public Health Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 30, 1902.

(a) by inserting in subsection one of section seven after the words "Director-General of Public Health" where firstly occurring the words ", or a person from time to time nominated by him,"; Sec. 7. (Constitution of Board.)

10 (b) by inserting in the same subsection after the words "that office" the words ", or a person from time to time nominated by him,".

(2) The Public Health Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the Public Health Act, 1902-1961.

3. (1) The Pure Food Act, 1908, as amended by subsequent Acts, is amended by inserting at the end of subsection one of section six the following new paragraph :— Amendment of Act No. 31, 1908. Sec. 6. (Advisory Committee.)

20 The president of the advisory committee may from time to time nominate a person to act in his place as a member, and as the president, of the advisory committee, and any such person so acting shall be deemed to be a member of the advisory committee and shall preside at meetings of the advisory committee at which he is present.

25 (2) The Pure Food Act, 1908, as amended by subsequent Acts and by this Act, may be cited as the Pure Food Act, 1908-1961.

*Public Health (Amendment).*

4. (1) The Nurses Registration Act, 1953, as amended by subsequent Acts, is amended by inserting at the end of subsection one of section five the following new paragraph :—

Amendment of Act No. 10, 1953. Sec. 5.

5 The member referred to in paragraph (a) of this subsection may from time to time nominate a person to act in his place as a member, and as Chairman, of the Board, and any such person so acting shall be deemed to be a member of the Board and shall be Chairman of the Board at any meetings of the Board at which he is present.

(Members of the Board.)

(2) The Nurses Registration Act, 1953, as amended by subsequent Acts and by this Act, may be cited as the Nurses Registration Act, 1953-1961.

15 5. (1) The Poisons Act, 1952, as amended by subsequent Acts, is amended—

Amendment of Act No. 54, 1952.

20 (a) by omitting from subsection two of section five the words “(a) the persons for the time being holding the offices of Director-General of Public Health,” and by inserting in lieu thereof the following new paragraph and words :—

Sec. 5. (Poisons Advisory Committee.)

“(a) the person for the time being holding the office of Director-General of Public Health, or a person from time to time nominated by him;

25 (ai) the persons for the time being holding the offices of”;

30 (b) by omitting from subsection three of the same section the words “The Director-General of Public Health” and by inserting in lieu thereof the words “The member referred to in paragraph (a) of subsection two of this section”.

(2) The Poisons Act, 1952, as amended by subsequent Acts and by this Act, may be cited as the Poisons Act, 1952-1961.

*Public Health (Amendment).*

6. (1) The Medical Practitioners Act, 1938, as amended by subsequent Acts, is amended by inserting in subsection two of section thirty-four after the words "Director-General of Public Health" the words ", or a person from time to time nominated by him".

Amendment of Act No. 37, 1938. Sec. 34. (Medical Practitioners Charges Committee.)

(2) The Medical Practitioners Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Medical Practitioners Act, 1938-1961.

7. (1) The Mental Health Act, 1958, is amended—

Amendment of Act No. 45, 1958.

10 (a) by inserting in subsection one of section seven after the word "appoint" the words "a Director-General of State Psychiatric Services,";

Sec. 7. (Director of State Psychiatric Services.)

(b) by inserting at the end of the same subsection the following new paragraph :—

15 The Director of State Psychiatric Services and the Deputy Director of State Psychiatric Services shall, in the exercise or performance of their powers, authorities, duties and functions, be subject in all respects to the control and direction of the Director-General of State Psychiatric Services.

20 (2) The Mental Health Act, 1958, as amended by this Act, may be cited as the Mental Health Act, 1958-1961.



## **PUBLIC HEALTH (AMENDMENT) BILL, 1961.**

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### **EXPLANATORY NOTE.**

THE objects of this Bill are—

- (a) to enable the Director-General of Public Health to nominate persons to act in his place on the Board of Health, the Advisory Committee established under the Pure Food Act, 1908, as amended, the Nurses Registration Board, the Poisons Advisory Committee and the Medical Practitioners Charges Committee ;
- (b) to provide for the appointment of a Director-General of State Psychiatric Services under the Mental Health Act, 1958 ;
- (c) to make other provisions of an ancillary or consequential nature.

PUBLIC HEALTH (AMENDMENT) BILL, 1961

EXPLANATORY NOTE

The object of this Bill is—

- (a) to enable the Director-General of Public Health to make any arrangements in his place or the place of any other person who is acting as Director-General of Public Health in the absence of the Director-General of Public Health, and to enable the Director-General of Public Health to make any arrangements in his place or the place of any other person who is acting as Director-General of Public Health in the absence of the Director-General of Public Health;
- (b) to provide for the appointment of a Director-General of Public Health to be appointed by the Government of India;
- (c) to make other provisions of an auxiliary or consequential nature.

No. , 1961.

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## A BILL

To enable the Director-General of Public Health to nominate persons to act in his place on certain boards and committees; for this and other purposes to amend the Public Health Act, 1902, and certain other Acts; and for purposes connected therewith.

[MR. SHEAHAN ;—14 *March*, 1961.]

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**B**E 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. (1) This Act may be cited as the "Public Health (Amendment) Act, 1961".

(2) Short title and commencement.

*Public Health (Amendment).*

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. (1) The Public Health Act, 1902, as amended by sub-  
5 sequent Acts, is amended— Amendment of Act No. 30, 1902.

(a) by inserting in subsection one of section seven after Sec. 7.  
the words "Director-General of Public Health" where (Constitu- tion of Board.)  
firstly occurring the words "; or a person from time  
to time nominated by him,";

10 (b) by inserting in the same subsection after the words  
"that office" the words "; or a person from time to  
time nominated by him,".

(2) The Public Health Act, 1902, as amended by sub-  
sequent Acts and by this Act, may be cited as the Public  
15 Health Act, 1902-1961.

3. (1) The Pure Food Act, 1908, as amended by subse- Amendment of Act No. 31, 1908.  
quent Acts, is amended by inserting at the end of subsection  
one of section six the following new paragraph :— Sec. 6.

20 The president of the advisory committee may from  
time to time nominate a person to act in his place as a  
member, and as the president, of the advisory committee,  
and any such person so acting shall be deemed to be a  
member of the advisory committee and shall preside at  
meetings of the advisory committee at which he is present. (Advisory Committee.)

25 (2) The Pure Food Act, 1908, as amended by subse-  
quent Acts and by this Act, may be cited as the Pure Food  
Act, 1908-1961.

*Public Health (Amendment).*

4. (1) The Nurses Registration Act, 1953, as amended by subsequent Acts, is amended by inserting at the end of subsection one of section five the following new paragraph :—

Amendment of Act No. 10, 1953. Sec. 5.

5 The member referred to in paragraph (a) of this subsection may from time to time nominate a person to act in his place as a member, and as Chairman, of the Board, and any such person so acting shall be deemed to be a member of the Board and shall be Chairman of the Board at any meetings of the Board at which he is present.

(Members of the Board.)

(2) The Nurses Registration Act, 1953, as amended by subsequent Acts and by this Act, may be cited as the Nurses Registration Act, 1953-1961.

15 5. (1) The Poisons Act, 1952, as amended by subsequent Acts, is amended—

Amendment of Act No. 54, 1952.

20 (a) by omitting from subsection two of section five the words “(a) the persons for the time being holding the offices of Director-General of Public Health,” and by inserting in lieu thereof the following new paragraph and words :—

Sec. 5. (Poisons Advisory Committee.)

“(a) the person for the time being holding the office of Director-General of Public Health, or a person from time to time nominated by him;

25 (ai) the persons for the time being holding the offices of”;

30 (b) by omitting from subsection three of the same section the words “The Director-General of Public Health” and by inserting in lieu thereof the words “The member referred to in paragraph (a) of subsection two of this section”.

(2) The Poisons Act, 1952, as amended by subsequent Acts and by this Act, may be cited as the Poisons Act, 1952-1961.

*Public Health (Amendment).*

6. (1) The Medical Practitioners Act, 1938, as amended by subsequent Acts, is amended by inserting in subsection two of section thirty-four after the words "Director-General of Public Health" the words ", or a person from time to time nominated by him".

Amendment of Act No. 37, 1938.  
Sec. 34.  
(Medical Practitioners Charges Committee.)

(2) The Medical Practitioners Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Medical Practitioners Act, 1938-1961.

7. (1) The Mental Health Act, 1958, is amended—

Amendment of Act No. 45, 1958.

(a) by inserting in subsection one of section seven after the word "appoint" the words "a Director-General of State Psychiatric Services,";

Sec. 7.  
(Director of State Psychiatric Services.)

(b) by inserting at the end of the same subsection the following new paragraph :—

The Director of State Psychiatric Services and the Deputy Director of State Psychiatric Services shall, in the exercise or performance of their powers, authorities, duties and functions, be subject in all respects to the control and direction of the Director-General of State Psychiatric Services.

(2) The Mental Health Act, 1958, as amended by this Act, may be cited as the Mental Health Act, 1958-1961.