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, 16 *September,* 1965.

New South Wales

ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. , 1965.

An Act to authorise the execution by or on behalf of the State of New South Wales of an Arrangement between the Commonwealth of Australia and that State relating to tuberculosis; to repeal the Tuberculosis Act, 1958; to amend the Public Hospitals Act, 1929, as amended by subsequent Acts and by orders of the Governor pursuant to section four of that Act, as so amended; and for purposes connected therewith.

BE

22161 32—

Tuberculosis.

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. (1) This Act may be cited as the "Tuberculosis Act, 1965". Short title and citation.

(2) The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by this Act, may be cited as the Public Hospitals Act, 1929-1965.

2. The Tuberculosis Act, 1958, is hereby repealed. Repeal of Act No. 35, 1958.

3. The execution, by or on behalf of the State of New South Wales, of an Arrangement with the Commonwealth of Australia, relating to the participation by the Commonwealth and the State in a campaign to reduce the incidence of tuberculosis and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis, in the form set out in the Schedule to this Act, is hereby authorised. Execution of Arrangement relating to tuberculosis.

4. The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by section two of this Act, is amended by inserting next after section 32A the following new section:— Amendment of Act No. 8, 1929. New sec. 32B.

32B. During the period within which the Arrangement executed under the provisions of the Tuberculosis Act, 1965, is in force no means test shall be imposed and no charge shall be made for accommodation, diagnosis or treatment in respect of any person in a public ward in any hospital or part of a hospital who occupies a bed wholly or partly maintained out of expenditure by the State which is subject to reimbursement by the Commonwealth of Australia pursuant to that Arrangement. Charges in respect of sufferers from tuberculosis.

In this section "public ward" means a ward which is ordinarily recognised as a public ward.

THE

THE SCHEDULE.

Sec. 3.

An ARRANGEMENT made pursuant to section 5 of the Tuberculosis Act 1948 of the Commonwealth of Australia BETWEEN HIS EXCELLENCY THE GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA, acting with the advice of the Federal Executive Council, and HIS EXCELLENCY THE GOVERNOR OF THE STATE OF NEW SOUTH WALES acting with the advice of the Executive Council of the State:

WHEREAS by arrangements made as aforesaid and dated the 31st May, 1950 and the 18th December, 1958 (which arrangements are in this arrangement referred to as "the previous arrangements") provision was made for the participation of the Commonwealth and the State in a campaign to reduce as soon and as far as possible the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis and for the reimbursement by the Commonwealth to the State of expenditure by the State in the provision of those facilities:

AND WHEREAS it was provided by clause 11 of the previous arrangement dated the 18th December, 1958 that that arrangement was to be in force for the period of five years that commenced on the first day of July, 1958, and by clause 12 thereof that prior to the thirtieth day of June, 1963, the Commonwealth and the State would at the request of either, confer with a view to a further arrangement in relation to the campaign being entered into:

AND WHEREAS in discussions between the Commonwealth and the State pursuant to the said clause 12 agreement has been reached with a view to this arrangement being entered into:

NOW IT IS HEREBY ARRANGED as follows:—

1. The Commonwealth and the State will continue to participate in the campaign provided for in the previous arrangements to reduce the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis.

2. For the purposes of the campaign the Commonwealth will reimburse to the State such of the expenditure by the State hereafter in this clause mentioned as shall be approved by the Minister, namely—

(a) capital expenditure by the State on or after the first day of July, 1948, in the provision by the State of land and buildings for use in the diagnosis, treatment and control of tuberculosis and in the erection and improvement of buildings and the provision of furnishings, equipment and plant for such use; and

(b)

(b) the net maintenance expenditure by the State in relation to the diagnosis, treatment and control of tuberculosis during each of the financial years next occurring after the year which ended on the thirtieth day of June, 1948, to an extent not exceeding the amount by which that expenditure is in excess of the net maintenance expenditure in relation to the diagnosis, treatment and control of tuberculosis during the year which ended on the thirtieth day of June, 1948.

3. For the purposes of this arrangement, net maintenance expenditure by the State in any financial year shall not include any payment by the State by way of allowances to, or in respect of, sufferers from tuberculosis and their dependants, and the amount of any net maintenance expenditure shall be arrived at after taking into account—

(a) payment for that year by the Commonwealth, in accordance with Part V of the National Health Act 1953-1964 as amended from time to time, to the State or to an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred;

(b) payments by the Commonwealth, in accordance with Part VII of the National Health Act 1953-1964 as amended from time to time, to the State or to an approved hospital authority as defined in that Part of the Act in respect of the supply during that year of pharmaceutical benefits for the treatment of tuberculosis; and

(c) any other amounts received during that year by the State, or by any institution upon the maintenance of which any part of that expenditure has been incurred, from, or in respect of, patients treated for tuberculosis.

4. The amount of any gift, donation or bequest received in any financial year by the State or by any institution upon the maintenance of which any part of the net maintenance expenditure during that year has been incurred shall also be taken into account in arriving at the amount of the net maintenance expenditure.

5. In order to enable the Minister to determine whether any of the expenditure mentioned in clause 2 of this arrangement should be approved by him the State shall ensure that—

(a) any proposal which will involve the reimbursement of capital expenditure under paragraph (a) of clause 2 of this arrangement shall be submitted in writing to the Commonwealth before any expenditure is incurred or any commitment made in respect of that proposal; and

(b) the Minister shall be supplied with such information by such persons at such times and in such manner and form as he shall from time to time require.

6. Any assets acquired or services or facilities provided by the State the cost, or part of the cost, of which has been reimbursed to the State under this arrangement shall not, without the prior written approval of the Minister be used otherwise than for the diagnosis, treatment and control of tuberculosis.

7. The State shall indemnify and keep indemnified the Commonwealth—

(a) against payment by way of compensation for property the cost of which has been reimbursed to the State by the Commonwealth under a previous arrangement or under this arrangement in the event of the acquisition of that property by the Commonwealth; and

(b) where the cost of the property was reimbursed in part to the State by the Commonwealth under a previous arrangement or under this arrangement against payment by way of compensation proportionate to the cost so reimbursed to the State in the event of the acquisition of that property by the Commonwealth.

8. The State shall ensure that no means test is imposed and no charge is made for accommodation, diagnosis and treatment for tuberculosis in respect of persons occupying beds in public wards in an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred.

9. The State shall ensure that attendance at community chest X-ray surveys by the persons to whom the surveys extend is compulsory and effectively enforced.

10. The State shall maintain and keep occupied the office of Director of Tuberculosis and shall ensure that the occupant of the office devotes the whole of his time to the duties of his office and does not engage in private practice.

11. The State shall ensure that there is an adequate number of chest clinics for the control of tuberculosis staffed with sufficient full-time medical officers working under the direction of the Director of Tuberculosis.

12. The Prime Minister of the Commonwealth and the Premier of the State shall confer from time to time on the means whereby the said campaign shall be effectively carried out.

13. This arrangement shall be deemed to have come into force on the first day of July, 1963, and on and from that date to have taken the place of the previous arrangement dated the 18th December, 1958.

14. This arrangement shall be in force for a period of five years commencing on the first day of July, 1963, and, subject to the next succeeding clause, shall continue in force unless and until determined under clause 16 of this arrangement.

5 15. At the request of either the Commonwealth or the State the Commonwealth and the State will, prior to the thirtieth day of June, 1968, confer with a view to a further arrangement in relation to the said campaign being entered into.

16. Either the Commonwealth or the State may give to the other 10 six calendar months notice expiring on the thirtieth day of June, 1968 or at any time thereafter of its intention to terminate this arrangement, and, unless a further arrangement is entered into in pursuance of the last preceding clause, this arrangement shall determine upon the expiration of that notice.

15 17. In this arrangement "the Minister" means the Minister of State for the Commonwealth for the time being administering the Tuberculosis Act 1948 of the Commonwealth and includes any Member of the Federal Executive Council for the time being acting for or on behalf of that Minister.

20 Dated this day of 196

By His Excellency's Command Governor-General

Prime Minister

By His Excellency's Command Governor

Premier

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965
[6d. (5c)]

No. , 1965.

A BILL

To authorise the execution by or on behalf of the State of New South Wales of an Arrangement between the Commonwealth of Australia and that State relating to tuberculosis; to repeal the Tuberculosis Act, 1958; to amend the Public Hospitals Act, 1929, as amended by subsequent Acts and by orders of the Governor pursuant to section four of that Act, as so amended; and for purposes connected therewith.

[MR. JAGO;—14 *September*, 1965.]

BE

22161 32—

Tuberculosis.

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. (1) This Act may be cited as the "Tuberculosis Act, 1965". Short title and citation.

(2) The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by this Act, may be cited as the Public Hospitals Act, 1929-1965.

2. The Tuberculosis Act, 1958, is hereby repealed. Repeal of Act No. 35, 1958.

3. The execution, by or on behalf of the State of New South Wales, of an Arrangement with the Commonwealth of Australia, relating to the participation by the Commonwealth and the State in a campaign to reduce the incidence of tuberculosis and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis, in the form set out in the Schedule to this Act, is hereby authorised. Execution of Arrangement relating to tuberculosis.

4. The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by section two of this Act, is amended by inserting next after section 32A the following new section :— Amendment of Act No. 8, 1929. New sec. 32B.

32B. During the period within which the Arrangement executed under the provisions of the Tuberculosis Act, 1965, is in force no means test shall be imposed and no charge shall be made for accommodation, diagnosis or treatment in respect of any person in a public ward in any hospital or part of a hospital who occupies a bed wholly or partly maintained out of expenditure by the State which is subject to reimbursement by the Commonwealth of Australia pursuant to that Arrangement. Charges in respect of sufferers from tuberculosis.

In this section "public ward" means a ward which is ordinarily recognised as a public ward.

THE

THE SCHEDULE.

Sec. 3.

An ARRANGEMENT made pursuant to section 5 of the Tuberculosis Act 1948 of the Commonwealth of Australia BETWEEN HIS EXCELLENCY THE GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA, acting with the advice of the Federal Executive Council, and HIS EXCELLENCY THE GOVERNOR OF THE STATE OF NEW SOUTH WALES acting with the advice of the Executive Council of the State:

WHEREAS by arrangements made as aforesaid and dated the 31st May, 1950 and the 18th December, 1958 (which arrangements are in this arrangement referred to as "the previous arrangements") provision was made for the participation of the Commonwealth and the State in a campaign to reduce as soon and as far as possible the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis and for the reimbursement by the Commonwealth to the State of expenditure by the State in the provision of those facilities:

AND WHEREAS it was provided by clause 11 of the previous arrangement dated the 18th December, 1958 that that arrangement was to be in force for the period of five years that commenced on the first day of July, 1958, and by clause 12 thereof that prior to the thirtieth day of June, 1963, the Commonwealth and the State would at the request of either, confer with a view to a further arrangement in relation to the campaign being entered into:

AND WHEREAS in discussions between the Commonwealth and the State pursuant to the said clause 12 agreement has been reached with a view to this arrangement being entered into:

NOW IT IS HEREBY ARRANGED as follows:—

1. The Commonwealth and the State will continue to participate in the campaign provided for in the previous arrangements to reduce the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis.

2. For the purposes of the campaign the Commonwealth will reimburse to the State such of the expenditure by the State hereafter in this clause mentioned as shall be approved by the Minister, namely—

(a) capital expenditure by the State on or after the first day of July, 1948, in the provision by the State of land and buildings for use in the diagnosis, treatment and control of tuberculosis and in the erection and improvement of buildings and the provision of furnishings, equipment and plant for such use; and

(b)

(b) the net maintenance expenditure by the State in relation to the diagnosis, treatment and control of tuberculosis during each of the financial years next occurring after the year which ended on the thirtieth day of June, 1948, to an extent not exceeding the amount by which that expenditure is in excess of the net maintenance expenditure in relation to the diagnosis, treatment and control of tuberculosis during the year which ended on the thirtieth day of June, 1948.

3. For the purposes of this arrangement, net maintenance expenditure by the State in any financial year shall not include any payment by the State by way of allowances to, or in respect of, sufferers from tuberculosis and their dependants, and the amount of any net maintenance expenditure shall be arrived at after taking into account—

(a) payment for that year by the Commonwealth, in accordance with Part V of the National Health Act 1953-1964 as amended from time to time, to the State or to an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred;

(b) payments by the Commonwealth, in accordance with Part VII of the National Health Act 1953-1964 as amended from time to time, to the State or to an approved hospital authority as defined in that Part of the Act in respect of the supply during that year of pharmaceutical benefits for the treatment of tuberculosis; and

(c) any other amounts received during that year by the State, or by any institution upon the maintenance of which any part of that expenditure has been incurred, from, or in respect of, patients treated for tuberculosis.

4. The amount of any gift, donation or bequest received in any financial year by the State or by any institution upon the maintenance of which any part of the net maintenance expenditure during that year has been incurred shall also be taken into account in arriving at the amount of the net maintenance expenditure.

5. In order to enable the Minister to determine whether any of the expenditure mentioned in clause 2 of this arrangement should be approved by him the State shall ensure that—

(a) any proposal which will involve the reimbursement of capital expenditure under paragraph (a) of clause 2 of this arrangement shall be submitted in writing to the Commonwealth before any expenditure is incurred or any commitment made in respect of that proposal; and

(b) the Minister shall be supplied with such information by such persons at such times and in such manner and form as he shall from time to time require.

6. Any assets acquired or services or facilities provided by the State the cost, or part of the cost, of which has been reimbursed to the State under this arrangement shall not, without the prior written approval of the Minister be used otherwise than for the diagnosis, treatment and control of tuberculosis.

7. The State shall indemnify and keep indemnified the Commonwealth—

(a) against payment by way of compensation for property the cost of which has been reimbursed to the State by the Commonwealth under a previous arrangement or under this arrangement in the event of the acquisition of that property by the Commonwealth; and

(b) where the cost of the property was reimbursed in part to the State by the Commonwealth under a previous arrangement or under this arrangement against payment by way of compensation proportionate to the cost so reimbursed to the State in the event of the acquisition of that property by the Commonwealth.

8. The State shall ensure that no means test is imposed and no charge is made for accommodation, diagnosis and treatment for tuberculosis in respect of persons occupying beds in public wards in an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred.

9. The State shall ensure that attendance at community chest X-ray surveys by the persons to whom the surveys extend is compulsory and effectively enforced.

10. The State shall maintain and keep occupied the office of Director of Tuberculosis and shall ensure that the occupant of the office devotes the whole of his time to the duties of his office and does not engage in private practice.

11. The State shall ensure that there is an adequate number of chest clinics for the control of tuberculosis staffed with sufficient full-time medical officers working under the direction of the Director of Tuberculosis.

12. The Prime Minister of the Commonwealth and the Premier of the State shall confer from time to time on the means whereby the said campaign shall be effectively carried out.

13. This arrangement shall be deemed to have come into force on the first day of July, 1963, and on and from that date to have taken the place of the previous arrangement dated the 18th December, 1958.

14. This arrangement shall be in force for a period of five years commencing on the first day of July, 1963, and, subject to the next succeeding clause, shall continue in force unless and until determined under clause 16 of this arrangement.

15. At the request of either the Commonwealth or the State the Commonwealth and the State will, prior to the thirtieth day of June, 1968, confer with a view to a further arrangement in relation to the said campaign being entered into.

16. Either the Commonwealth or the State may give to the other six calendar months notice expiring on the thirtieth day of June, 1968 or at any time thereafter of its intention to terminate this arrangement, and, unless a further arrangement is entered into in pursuance of the last preceding clause, this arrangement shall determine upon the expiration of that notice.

17. In this arrangement "the Minister" means the Minister of State for the Commonwealth for the time being administering the Tuberculosis Act 1948 of the Commonwealth and includes any Member of the Federal Executive Council for the time being acting for or on behalf of that Minister.

Dated this day of 196

By His Excellency's Command Governor-General

Prime Minister

By His Excellency's Command Governor

Premier

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965
[1s. 0d. (10c)]

TUBERCULOSIS BILL, 1965.

EXPLANATORY NOTE.

THE objects of this Bill are—

(a) to authorise the State to enter into a further arrangement with the Commonwealth for a period of five years from 1st July, 1963, for the continuation of the national campaign against tuberculosis;

(b) to amend the Public Hospitals Act, 1929, as amended by subsequent Acts, to provide that no charge shall be made for the treatment of persons occupying beds in public wards in hospitals where the Commonwealth reimburses the State for maintenance expenditure upon those beds in the diagnosis, treatment and control of tuberculosis.

The arrangement is substantially identical with the previous arrangement, with the addition of two new conditions relating to enforcement of attendance at community chest X-ray surveys and maintenance of an adequate number of chest clinics.

22161 32—

PROOF

No. , 1965.

A BILL

To authorise the execution by or on behalf of the State of New South Wales of an Arrangement between the Commonwealth of Australia and that State relating to tuberculosis; to repeal the Tuberculosis Act, 1958; to amend the Public Hospitals Act, 1929, as amended by subsequent Acts and by orders of the Governor pursuant to section four of that Act, as so amended; and for purposes connected therewith.

[MR. JAGO;—14 *September*, 1965.]

BE

22161 32—

Tuberculosis.

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. (1) This Act may be cited as the "Tuberculosis Act, 1965". Short title and citation.

(2) The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by this Act, may be cited as the Public Hospitals Act, 1929-1965.

2. The Tuberculosis Act, 1958, is hereby repealed. Repeal of Act No. 35, 1958.

3. The execution, by or on behalf of the State of New South Wales, of an Arrangement with the Commonwealth of Australia, relating to the participation by the Commonwealth and the State in a campaign to reduce the incidence of tuberculosis and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis, in the form set out in the Schedule to this Act, is hereby authorised. Execution of Arrangement relating to tuberculosis.

4. The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by section two of this Act, is amended by inserting next after section 32A the following new section:— Amendment of Act No. 8, 1929. New sec. 32B.

32B. During the period within which the Arrangement executed under the provisions of the Tuberculosis Act, 1965, is in force no means test shall be imposed and no charge shall be made for accommodation, diagnosis or treatment in respect of any person in a public ward in any hospital or part of a hospital who occupies a bed wholly or partly maintained out of expenditure by the State which is subject to reimbursement by the Commonwealth of Australia pursuant to that Arrangement. Charges in respect of sufferers from tuberculosis.

In this section "public ward" means a ward which is ordinarily recognised as a public ward.

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THE SCHEDULE.

Sec. 3.

An ARRANGEMENT made pursuant to section 5 of the Tuberculosis Act 1948 of the Commonwealth of Australia BETWEEN HIS EXCELLENCY THE GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA, acting with the advice of the Federal Executive Council, and HIS EXCELLENCY THE GOVERNOR OF THE STATE OF NEW SOUTH WALES acting with the advice of the Executive Council of the State:

WHEREAS by arrangements made as aforesaid and dated the 31st May, 1950 and the 18th December, 1958 (which arrangements are in this arrangement referred to as "the previous arrangements") provision was made for the participation of the Commonwealth and the State in a campaign to reduce as soon and as far as possible the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis and for the reimbursement by the Commonwealth to the State of expenditure by the State in the provision of those facilities:

AND WHEREAS it was provided by clause 11 of the previous arrangement dated the 18th December, 1958 that that arrangement was to be in force for the period of five years that commenced on the first day of July, 1958, and by clause 12 thereof that prior to the thirtieth day of June, 1963, the Commonwealth and the State would at the request of either, confer with a view to a further arrangement in relation to the campaign being entered into:

AND WHEREAS in discussions between the Commonwealth and the State pursuant to the said clause 12 agreement has been reached with a view to this arrangement being entered into:

NOW IT IS HEREBY ARRANGED as follows:—

1. The Commonwealth and the State will continue to participate in the campaign provided for in the previous arrangements to reduce the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis.

2. For the purposes of the campaign the Commonwealth will reimburse to the State such of the expenditure by the State hereafter in this clause mentioned as shall be approved by the Minister, namely—

(a) capital expenditure by the State on or after the first day of July, 1948, in the provision by the State of land and buildings for use in the diagnosis, treatment and control of tuberculosis and in the erection and improvement of buildings and the provision of furnishings, equipment and plant for such use; and

(b)

(b) the net maintenance expenditure by the State in relation to the diagnosis, treatment and control of tuberculosis during each of the financial years next occurring after the year which ended on the thirtieth day of June, 1948, to an extent not exceeding the amount by which that expenditure is in excess of the net maintenance expenditure in relation to the diagnosis, treatment and control of tuberculosis during the year which ended on the thirtieth day of June, 1948.

3. For the purposes of this arrangement, net maintenance expenditure by the State in any financial year shall not include any payment by the State by way of allowances to, or in respect of, sufferers from tuberculosis and their dependants, and the amount of any net maintenance expenditure shall be arrived at after taking into account—

(a) payment for that year by the Commonwealth, in accordance with Part V of the National Health Act 1953-1964 as amended from time to time, to the State or to an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred;

(b) payments by the Commonwealth, in accordance with Part VII of the National Health Act 1953-1964 as amended from time to time, to the State or to an approved hospital authority as defined in that Part of the Act in respect of the supply during that year of pharmaceutical benefits for the treatment of tuberculosis; and

(c) any other amounts received during that year by the State, or by any institution upon the maintenance of which any part of that expenditure has been incurred, from, or in respect of, patients treated for tuberculosis.

4. The amount of any gift, donation or bequest received in any financial year by the State or by any institution upon the maintenance of which any part of the net maintenance expenditure during that year has been incurred shall also be taken into account in arriving at the amount of the net maintenance expenditure.

5. In order to enable the Minister to determine whether any of the expenditure mentioned in clause 2 of this arrangement should be approved by him the State shall ensure that—

(a) any proposal which will involve the reimbursement of capital expenditure under paragraph (a) of clause 2 of this arrangement shall be submitted in writing to the Commonwealth before any expenditure is incurred or any commitment made in respect of that proposal; and

(b) the Minister shall be supplied with such information by such persons at such times and in such manner and form as he shall from time to time require.

6. Any assets acquired or services or facilities provided by the State the cost, or part of the cost, of which has been reimbursed to the State under this arrangement shall not, without the prior written approval of the Minister be used otherwise than for the diagnosis, treatment and control of tuberculosis.

7. The State shall indemnify and keep indemnified the Commonwealth—

(a) against payment by way of compensation for property the cost of which has been reimbursed to the State by the Commonwealth under a previous arrangement or under this arrangement in the event of the acquisition of that property by the Commonwealth; and

(b) where the cost of the property was reimbursed in part to the State by the Commonwealth under a previous arrangement or under this arrangement against payment by way of compensation proportionate to the cost so reimbursed to the State in the event of the acquisition of that property by the Commonwealth.

8. The State shall ensure that no means test is imposed and no charge is made for accommodation, diagnosis and treatment for tuberculosis in respect of persons occupying beds in public wards in an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred.

9. The State shall ensure that attendance at community chest X-ray surveys by the persons to whom the surveys extend is compulsory and effectively enforced.

10. The State shall maintain and keep occupied the office of Director of Tuberculosis and shall ensure that the occupant of the office devotes the whole of his time to the duties of his office and does not engage in private practice.

11. The State shall ensure that there is an adequate number of chest clinics for the control of tuberculosis staffed with sufficient full-time medical officers working under the direction of the Director of Tuberculosis.

12. The Prime Minister of the Commonwealth and the Premier of the State shall confer from time to time on the means whereby the said campaign shall be effectively carried out.

13. This arrangement shall be deemed to have come into force on the first day of July, 1963, and on and from that date to have taken the place of the previous arrangement dated the 18th December, 1958.

14. This arrangement shall be in force for a period of five years commencing on the first day of July, 1963, and, subject to the next succeeding clause, shall continue in force unless and until determined under clause 16 of this arrangement.

5 15. At the request of either the Commonwealth or the State the Commonwealth and the State will, prior to the thirtieth day of June, 1968, confer with a view to a further arrangement in relation to the said campaign being entered into.

16. Either the Commonwealth or the State may give to the other 10 six calendar months notice expiring on the thirtieth day of June, 1968 or at any time thereafter of its intention to terminate this arrangement, and, unless a further arrangement is entered into in pursuance of the last preceding clause, this arrangement shall determine upon the expiration of that notice.

15 17. In this arrangement "the Minister" means the Minister of State for the Commonwealth for the time being administering the Tuberculosis Act 1948 of the Commonwealth and includes any Member of the Federal Executive Council for the time being acting for or on behalf of that Minister.

20 Dated this day of 196

By His Excellency's Command Governor-General

Prime Minister

By His Excellency's Command Governor

Premier

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965

New South Wales

ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 6, 1965.

An Act to authorise the execution by or on behalf of the State of New South Wales of an Arrangement between the Commonwealth of Australia and that State relating to tuberculosis; to repeal the Tuberculosis Act, 1958; to amend the Public Hospitals Act, 1929, as amended by subsequent Acts and by orders of the Governor pursuant to section four of that Act, as so amended; and for purposes connected therewith. [Assented to, 1st October, 1965.]

BE

P29147 [6d. (5c)]

Tuberculosis.

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

Short title and citation.

1. (1) This Act may be cited as the "Tuberculosis Act, 1965".

(2) The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by this Act, may be cited as the Public Hospitals Act, 1929-1965.

Repeal of Act No. 35, 1958.

2. The Tuberculosis Act, 1958, is hereby repealed.

Execution of Arrangement relating to tuberculosis.

3. The execution, by or on behalf of the State of New South Wales, of an Arrangement with the Commonwealth of Australia, relating to the participation by the Commonwealth and the State in a campaign to reduce the incidence of tuberculosis and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis, in the form set out in the Schedule to this Act, is hereby authorised.

Amendment of Act No. 8, 1929. New sec. 32B.

4. The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by section two of this Act, is amended by inserting next after section 32A the following new section:—

Charges in respect of sufferers from tuberculosis.

32B. During the period within which the Arrangement executed under the provisions of the Tuberculosis Act, 1965, is in force no means test shall be imposed and no charge shall be made for accommodation, diagnosis or treatment in respect of any person in a public ward in any hospital or part of a hospital who occupies a bed wholly or partly maintained out of expenditure by the State which is subject to reimbursement by the Commonwealth of Australia pursuant to that Arrangement.

In this section "public ward" means a ward which is ordinarily recognised as a public ward.

THE

THE SCHEDULE.

Sec. 3.

An ARRANGEMENT made pursuant to section 5 of the Tuberculosis Act 1948 of the Commonwealth of Australia BETWEEN HIS EXCELLENCY THE GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA, acting with the advice of the Federal Executive Council, and HIS EXCELLENCY THE GOVERNOR OF THE STATE OF NEW SOUTH WALES acting with the advice of the Executive Council of the State:

WHEREAS by arrangements made as aforesaid and dated the 31st May, 1950 and the 18th December, 1958 (which arrangements are in this arrangement referred to as "the previous arrangements") provision was made for the participation of the Commonwealth and the State in a campaign to reduce as soon and as far as possible the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis and for the reimbursement by the Commonwealth to the State of expenditure by the State in the provision of those facilities:

AND WHEREAS it was provided by clause 11 of the previous arrangement dated the 18th December, 1958 that that arrangement was to be in force for the period of five years that commenced on the first day of July, 1958, and by clause 12 thereof that prior to the thirtieth day of June, 1963, the Commonwealth and the State would at the request of either, confer with a view to a further arrangement in relation to the campaign being entered into:

AND WHEREAS in discussions between the Commonwealth and the State pursuant to the said clause 12 agreement has been reached with a view to this arrangement being entered into:

NOW IT IS HEREBY ARRANGED as follows:—

1. The Commonwealth and the State will continue to participate in the campaign provided for in the previous arrangements to reduce the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis.

2. For the purposes of the campaign the Commonwealth will reimburse to the State such of the expenditure by the State hereafter in this clause mentioned as shall be approved by the Minister, namely—

(a) capital expenditure by the State on or after the first day of July, 1948, in the provision by the State of land and buildings for use in the diagnosis, treatment and control of tuberculosis and in the erection and improvement of buildings and the provision of furnishings, equipment and plant for such use; and

(b)

(b) the net maintenance expenditure by the State in relation to the diagnosis, treatment and control of tuberculosis during each of the financial years next occurring after the year which ended on the thirtieth day of June, 1948, to an extent not exceeding the amount by which that expenditure is in excess of the net maintenance expenditure in relation to the diagnosis, treatment and control of tuberculosis during the year which ended on the thirtieth day of June, 1948.

3. For the purposes of this arrangement, net maintenance expenditure by the State in any financial year shall not include any payment by the State by way of allowances to, or in respect of, sufferers from tuberculosis and their dependants, and the amount of any net maintenance expenditure shall be arrived at after taking into account—

(a) payment for that year by the Commonwealth, in accordance with Part V of the National Health Act 1953-1964 as amended from time to time, to the State or to an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred;

(b) payments by the Commonwealth, in accordance with Part VII of the National Health Act 1953-1964 as amended from time to time, to the State or to an approved hospital authority as defined in that Part of the Act in respect of the supply during that year of pharmaceutical benefits for the treatment of tuberculosis; and

(c) any other amounts received during that year by the State, or by any institution upon the maintenance of which any part of that expenditure has been incurred, from, or in respect of, patients treated for tuberculosis.

4. The amount of any gift, donation or bequest received in any financial year by the State or by any institution upon the maintenance of which any part of the net maintenance expenditure during that year has been incurred shall also be taken into account in arriving at the amount of the net maintenance expenditure.

5. In order to enable the Minister to determine whether any of the expenditure mentioned in clause 2 of this arrangement should be approved by him the State shall ensure that—

(a) any proposal which will involve the reimbursement of capital expenditure under paragraph (a) of clause 2 of this arrangement shall be submitted in writing to the Commonwealth before any expenditure is incurred or any commitment made in respect of that proposal; and

(b) the Minister shall be supplied with such information by such persons at such times and in such manner and form as he shall from time to time require.

6. Any assets acquired or services or facilities provided by the State the cost, or part of the cost, of which has been reimbursed to the State under this arrangement shall not, without the prior written approval of the Minister be used otherwise than for the diagnosis, treatment and control of tuberculosis.

7. The State shall indemnify and keep indemnified the Commonwealth—

(a) against payment by way of compensation for property the cost of which has been reimbursed to the State by the Commonwealth under a previous arrangement or under this arrangement in the event of the acquisition of that property by the Commonwealth; and

(b) where the cost of the property was reimbursed in part to the State by the Commonwealth under a previous arrangement or under this arrangement against payment by way of compensation proportionate to the cost so reimbursed to the State in the event of the acquisition of that property by the Commonwealth.

8. The State shall ensure that no means test is imposed and no charge is made for accommodation, diagnosis and treatment for tuberculosis in respect of persons occupying beds in public wards in an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred.

9. The State shall ensure that attendance at community chest X-ray surveys by the persons to whom the surveys extend is compulsory and effectively enforced.

10. The State shall maintain and keep occupied the office of Director of Tuberculosis and shall ensure that the occupant of the office devotes the whole of his time to the duties of his office and does not engage in private practice.

11. The State shall ensure that there is an adequate number of chest clinics for the control of tuberculosis staffed with sufficient full-time medical officers working under the direction of the Director of Tuberculosis.

12. The Prime Minister of the Commonwealth and the Premier of the State shall confer from time to time on the means whereby the said campaign shall be effectively carried out.

13. This arrangement shall be deemed to have come into force on the first day of July, 1963, and on and from that date to have taken the place of the previous arrangement dated the 18th December, 1958.

14. This arrangement shall be in force for a period of five years commencing on the first day of July, 1963, and, subject to the next succeeding clause, shall continue in force unless and until determined under clause 16 of this arrangement.

15. At the request of either the Commonwealth or the State the Commonwealth and the State will, prior to the thirtieth day of June, 1968, confer with a view to a further arrangement in relation to the said campaign being entered into.

16. Either the Commonwealth or the State may give to the other six calendar months notice expiring on the thirtieth day of June, 1968 or at any time thereafter of its intention to terminate this arrangement, and, unless a further arrangement is entered into in pursuance of the last preceding clause, this arrangement shall determine upon the expiration of that notice.

17. In this arrangement "the Minister" means the Minister of State for the Commonwealth for the time being administering the Tuberculosis Act 1948 of the Commonwealth and includes any Member of the Federal Executive Council for the time being acting for or on behalf of that Minister.

Dated this day of 196

By His Excellency's Command Governor-General

Prime Minister

By His Excellency's Command Governor

Premier

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 28 *September,* 1965.

New South Wales

ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 6, 1965.

An Act to authorise the execution by or on behalf of the State of New South Wales of an Arrangement between the Commonwealth of Australia and that State relating to tuberculosis; to repeal the Tuberculosis Act, 1958; to amend the Public Hospitals Act, 1929, as amended by subsequent Acts and by orders of the Governor pursuant to section four of that Act, as so amended; and for purposes connected therewith. [Assented to, 1st October, 1965.]

BE

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

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

Tuberculosis.

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

Short title and citation.

1. (1) This Act may be cited as the "Tuberculosis Act, 1965".

(2) The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by this Act, may be cited as the Public Hospitals Act, 1929-1965.

Repeal of Act No. 35, 1958.

2. The Tuberculosis Act, 1958, is hereby repealed.

Execution of Arrangement relating to tuberculosis.

3. The execution, by or on behalf of the State of New South Wales, of an Arrangement with the Commonwealth of Australia, relating to the participation by the Commonwealth and the State in a campaign to reduce the incidence of tuberculosis and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis, in the form set out in the Schedule to this Act, is hereby authorised.

Amendment of Act No. 8, 1929. New sec. 32B.

4. The Public Hospitals Act, 1929, as amended by subsequent Acts, by orders of the Governor pursuant to section four of that Act, as so amended, and by section two of this Act, is amended by inserting next after section 32A the following new section :—

Charges in respect of sufferers from tuberculosis.

32B. During the period within which the Arrangement executed under the provisions of the Tuberculosis Act, 1965, is in force no means test shall be imposed and no charge shall be made for accommodation, diagnosis or treatment in respect of any person in a public ward in any hospital or part of a hospital who occupies a bed wholly or partly maintained out of expenditure by the State which is subject to reimbursement by the Commonwealth of Australia pursuant to that Arrangement.

In this section "public ward" means a ward which is ordinarily recognised as a public ward.

THE

THE SCHEDULE.

Sec. 3.

An ARRANGEMENT made pursuant to section 5 of the Tuberculosis Act 1948 of the Commonwealth of Australia BETWEEN HIS EXCELLENCY THE GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA, acting with the advice of the Federal Executive Council, and HIS EXCELLENCY THE GOVERNOR OF THE STATE OF NEW SOUTH WALES acting with the advice of the Executive Council of the State:

WHEREAS by arrangements made as aforesaid and dated the 31st May, 1950 and the 18th December, 1958 (which arrangements are in this arrangement referred to as "the previous arrangements") provision was made for the participation of the Commonwealth and the State in a campaign to reduce as soon and as far as possible the incidence of tuberculosis in Australia and to provide adequate facilities for the diagnosis, treatment and control of tuberculosis and for the reimbursement by the Commonwealth to the State of expenditure by the State in the provision of those facilities:

AND WHEREAS it was provided by clause 11 of the previous arrangement dated the 18th December, 1958 that that arrangement was to be in force for the period of five years that commenced on the first day of July, 1958, and by clause 12 thereof that prior to the thirtieth day of June, 1963, the Commonwealth and the State would at the request of either, confer with a view to a further arrangement in relation to the campaign being entered into:

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(a) capital expenditure by the State on or after the first day of July, 1948, in the provision by the State of land and buildings for use in the diagnosis, treatment and control of tuberculosis and in the erection and improvement of buildings and the provision of furnishings, equipment and plant for such use; and

(b)

(b) the net maintenance expenditure by the State in relation to the diagnosis, treatment and control of tuberculosis during each of the financial years next occurring after the year which ended on the thirtieth day of June, 1948, to an extent not exceeding the amount by which that expenditure is in excess of the net maintenance expenditure in relation to the diagnosis, treatment and control of tuberculosis during the year which ended on the thirtieth day of June, 1948.

3. For the purposes of this arrangement, net maintenance expenditure by the State in any financial year shall not include any payment by the State by way of allowances to, or in respect of, sufferers from tuberculosis and their dependants, and the amount of any net maintenance expenditure shall be arrived at after taking into account—

(a) payment for that year by the Commonwealth, in accordance with Part V of the National Health Act 1953-1964 as amended from time to time, to the State or to an institution upon the maintenance of which any part of the net maintenance expenditure has been incurred;

(b) payments by the Commonwealth, in accordance with Part VII of the National Health Act 1953-1964 as amended from time to time, to the State or to an approved hospital authority as defined in that Part of the Act in respect of the supply during that year of pharmaceutical benefits for the treatment of tuberculosis; and

(c) any other amounts received during that year by the State, or by any institution upon the maintenance of which any part of that expenditure has been incurred, from, or in respect of, patients treated for tuberculosis.

4. The amount of any gift, donation or bequest received in any financial year by the State or by any institution upon the maintenance of which any part of the net maintenance expenditure during that year has been incurred shall also be taken into account in arriving at the amount of the net maintenance expenditure.

5. In order to enable the Minister to determine whether any of the expenditure mentioned in clause 2 of this arrangement should be approved by him the State shall ensure that—

(a) any proposal which will involve the reimbursement of capital expenditure under paragraph (a) of clause 2 of this arrangement shall be submitted in writing to the Commonwealth before any expenditure is incurred or any commitment made in respect of that proposal; and

(b) the Minister shall be supplied with such information by such persons at such times and in such manner and form as he shall from time to time require.

6. Any assets acquired or services or facilities provided by the State the cost, or part of the cost, of which has been reimbursed to the State under this arrangement shall not, without the prior written approval of the Minister be used otherwise than for the diagnosis, treatment and control of tuberculosis.

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(a) against payment by way of compensation for property the cost of which has been reimbursed to the State by the Commonwealth under a previous arrangement or under this arrangement in the event of the acquisition of that property by the Commonwealth; and

(b) where the cost of the property was reimbursed in part to the State by the Commonwealth under a previous arrangement or under this arrangement against payment by way of compensation proportionate to the cost so reimbursed to the State in the event of the acquisition of that property by the Commonwealth.

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11. The State shall ensure that there is an adequate number of chest clinics for the control of tuberculosis staffed with sufficient full-time medical officers working under the direction of the Director of Tuberculosis.

12. The Prime Minister of the Commonwealth and the Premier of the State shall confer from time to time on the means whereby the said campaign shall be effectively carried out.

13. This arrangement shall be deemed to have come into force on the first day of July, 1963, and on and from that date to have taken the place of the previous arrangement dated the 18th December, 1958.

14. This arrangement shall be in force for a period of five years commencing on the first day of July, 1963, and, subject to the next succeeding clause, shall continue in force unless and until determined under clause 16 of this arrangement.

15. At the request of either the Commonwealth or the State the Commonwealth and the State will, prior to the thirtieth day of June, 1968, confer with a view to a further arrangement in relation to the said campaign being entered into.

16. Either the Commonwealth or the State may give to the other six calendar months notice expiring on the thirtieth day of June, 1968 or at any time thereafter of its intention to terminate this arrangement, and, unless a further arrangement is entered into in pursuance of the last preceding clause, this arrangement shall determine upon the expiration of that notice.

17. In this arrangement "the Minister" means the Minister of State for the Commonwealth for the time being administering the Tuberculosis Act 1948 of the Commonwealth and includes any Member of the Federal Executive Council for the time being acting for or on behalf of that Minister.

Dated this day of 196

By His Excellency's Command Governor-General

Prime Minister

By His Excellency's Command Governor

Premier

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

K. W. STREET,
Lieutenant-Governor.

Government House,
Sydney, 1st October, 1965.