

CONCURRENCE COPY

PUBLIC HOSPITALS (UNITED DENTAL HOSPITAL OF SYDNEY) AMENDMENT BILL, 1978

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The following Bills are cognate with this Bill:—

- Dental Hospitals Union (Repeal) Bill, 1978
- Dentists (Dental Board) Amendment Bill, 1978

The objects of this Bill are—

- (a) to provide for the addition to the Second Schedule to the Public Hospitals Act, 1929, of the name of the United Dental Hospital of Sydney (Schedule 1);
 - (b) to provide for the constitution of the Board of Directors of the United Dental Hospital of Sydney (Schedule 1 (8));
 - (c) to vest in the Health Commission of New South Wales certain land on which the United Dental Hospital of Sydney is situated (Schedule 1 (8));
 - (d) to amend Part V of the Public Hospitals Act, 1929 (Schedule 2); and
 - (e) to make other provisions of a minor or ancillary nature.
-

COMMISSION ON THE STATUS OF WOMEN

MEMORANDUM FOR THE RECORD
SUBJECT: [Illegible]

[The following text is extremely faint and largely illegible. It appears to be a memorandum or report detailing findings or recommendations. Key words that are faintly visible include "The Commission", "findings", "recommendations", and "status of women".]

**PUBLIC HOSPITALS (UNITED DENTAL HOSPITAL
OF SYDNEY) AMENDMENT BILL, 1978**

No. , 1978.

A BILL FOR

An Act to amend the Public Hospitals Act, 1929, to provide for the addition to the Second Schedule to that Act of the name of the United Dental Hospital of Sydney; to vest certain land upon which that hospital is situated in the Health Commission of New South Wales; and for other purposes.

[MR K. J. STEWART—14 *February*, 1978.]

Public Hospitals (United Dental Hospital of Sydney) Amendment.

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 :—

5 **1.** This Act may be cited as the "Public Hospitals (United Dental Hospital of Sydney) Amendment Act, 1978". Short title.

2. This Act contains the following Schedules :— Schedules.

10 **SCHEDULE 1.—AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING TO THE UNITED DENTAL HOSPITAL OF SYDNEY.**

SCHEDULE 2.—MISCELLANEOUS AMENDMENTS TO PART V OF THE PUBLIC HOSPITALS ACT, 1929.

3. The Public Hospitals Act, 1929, is amended in the manner set forth in Schedules 1 and 2. Amendment of Act No. 8, 1929.

15 **4.** Section 24 (2A) of the Public Hospitals Act, 1929, as in force immediately before the commencement of Schedule 2 (3), shall be deemed never to have applied to a director appointed by the Minister. Application of sec. 24 (2A) of Act No. 8, 1929.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY.

(1) Section 1 (2)—

5 Omit the matter relating to Part VIA, insert instead :—

PART VIA.—PROVISIONS APPLICABLE TO CERTAIN
HOSPITALS.

DIVISION 1.—*Prince Henry Hospital.*

DIVISION 2.—*United Dental Hospital of Sydney.*

10 (2) Section 4 (6) (h)—

After section 4 (6) (g), insert :—

15 (h) On the day upon which an order is published under
this section adding to the Second Schedule the name of
the United Dental Hospital of Sydney, the Third Schedule
shall be amended by omitting the words “United Dental
Hospital.”.

(3) (a) Section 22 (1A)—

Omit “Each”, insert instead “Subject to section 33FC
(1), each”.

20 (b) Section 22 (2A)—

After “(2),”, insert “and subject to section 33FC
(1),”.

(4) Section 28 (1) (b)—

25 Omit “providing”, insert instead “subject to section 33FC
(4) and (5), providing”.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

(5) Part VIA, heading—

- 5 Omit “PRINCE HENRY HOSPITAL.”, insert instead :—
PROVISIONS APPLICABLE TO CERTAIN HOSPITALS.

DIVISION 1.—*Prince Henry Hospital.*

(6) Section 33A—

Omit “Part of this Act”, insert instead “Division”.

10 (7) Section 33B (1)—

Omit “Part of this Act”, insert instead “Division”.

(8) Part VIA, Division 2—

After section 33F, insert :—

DIVISION 2.—*United Dental Hospital of Sydney.*

- 15 33FA. This Division shall commence on the day upon which an order is published under section 4 (2) adding to the Second Schedule the name of the United Dental Hospital of Sydney. Commence-
ment of
Pt. VIA,
Div. 2.

- 20 33FB. In this Division, except in so far as the context or subject-matter otherwise indicates or requires— Interpre-
tation:
Pt. VIA,
Div. 2.

“Board” means the Board of Directors of the hospital;

“board of control” means the board of control referred to in the Dental Hospitals Union Act, 1904, of the United Dental Hospital of Sydney;

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

“Chairman” means Chairman of the Board;

5 “hospital” means the United Dental Hospital of
Sydney constituted under this Division;

10 “superannuation scheme” means a scheme, fund or
arrangement under which any superannuation or
retirement benefits are provided and which is
established by or under any Act.

15 33FC. (1) The Board shall consist of 9 directors Board of
Directors.
appointed by the Minister, 3 of whom shall be persons
nominated by the University of Sydney within such period
and in such manner as may from time to time be fixed by
the Minister and notified by him to that university.

20 (2) If a nomination is not made as provided by
subsection (1) and the period within which the nomination
is required to be made has expired, the Minister may
nominate 3 persons to be directors of the Board and the
persons so nominated by the Minister shall, on their
appointment, be deemed to have been nominated as
provided by subsection (1).

25 (3) Where a vacancy referred to in section 24B
occurs in the office of a director nominated in accordance
with this section, the person appointed under section 24B
to fill the vacancy shall be a person nominated in
accordance with this section.

30 (4) The Chairman shall be the director who
is so appointed by the Minister in and by the notification
of his appointment as a director or by a subsequent
notification published in the Gazette.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 (5) The term of office of the Chairman shall be the period specified as such in the notification of his appointment as Chairman.

(6) The Chairman shall hold office as Chairman for the period from the date of commencement of his term of office as Chairman until—

10 (a) he resigns his office as Chairman by writing under his hand addressed to the Minister and the Minister accepts his resignation;

(b) he is deemed to have vacated his office as a director pursuant to section 24A (1);

15 (c) the date of expiration of his term of office as a director; or

(d) the date of expiration of his term of office as Chairman,

whichever event first occurs.

20 33FD. (1) So much of the land described in the Sixth Schedule as is not vested in the Commission is hereby vested in the Commission for an estate in fee simple freed and discharged from all trusts that, immediately before the commencement of this section, affected that land, and section 19 (1) (b) has no operation in respect of the land hereby vested. Vesting of land.

25 (2) The vesting effected by subsection (1) shall be without prejudice to any reservation, mortgage, charge, encumbrance, lien or lease, that, immediately before the commencement of this section, affected the land vested.

30

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 33FE. Upon application in writing by the Commission, Issue of
the Registrar-General shall issue to the Commission a certi- certificate
ficate of title under the Real Property Act, 1900, for the of title.
whole of the land described in the Sixth Schedule.

10 33FF. (1) All persons who, immediately before the Savings and
commencement of this Division, were employees, servants, transitional
or members of the staff, of the board of control shall be provisions.
deemed to have been appointed as employees, servants, or
members of the staff, of the hospital.

15 (2) Subject to subsection (3), where a person
to whom subsection (1) applies was, immediately before
his appointment as an employee, a servant, or a member
of the staff, of the hospital, a contributor to a superannua-
tion scheme, he—

(a) shall retain any rights accrued or accruing to him
as such a contributor;

20 (b) may continue to contribute to any superannua-
tion scheme to which he was a contributor
immediately before his appointment as an
employee, a servant, or a member of the staff,
of the hospital;

25 and—

(c) his service as an employee, a servant, or a mem-
ber of the staff, of the board of control shall be
deemed to be service as an officer or employee
of the hospital for the purpose of any law under
30 which those rights accrued or were accruing or
under which he continues to contribute; and

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 (d) he shall be deemed to be an officer or employee,
and the hospital shall be deemed to be his
employer, for the purpose of the superannuation
scheme to which he is entitled to contribute
under this section.

10 (3) An employee, a servant, or a member of the
staff, of the hospital who, but for this subsection, would be
entitled under subsection (2) to contribute to a super-
annuation scheme shall not be so entitled upon his becom-
15 ing (whether upon his appointment as an employee, a
servant, or a member of the staff, of the hospital or at any
later time while he holds office as an employee, a servant,
or a member of the staff, of the hospital) a contributor to
any other superannuation scheme, and the provisions of
20 subsection (2) (d) cease to apply to or in respect of him
and the hospital in any case where he becomes a
contributor to another superannuation scheme.

25 (4) Subsection (3) does not prevent the pay-
ment to an employee, a servant, or a member of the staff,
of the hospital upon his ceasing to be a contributor to a
superannuation scheme of such amount as would have
been payable to him if he had ceased, by reason of
30 resignation, to be an officer or employee for the purposes
of that scheme.

(5) A person to whom subsection (1) applies
shall be paid salary or wages by the hospital at a rate not
30 less than the rate which was payable to him immediately

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 before the commencement of this Division, subject to any
adjustment necessary to give effect to any fluctuation in a
basic or minimum wage by reference to which his salary
or wages is or are fixed, until the salary or wages payable
to him is or are varied or altered by an award of a
10 competent tribunal, an industrial agreement or a
determination under section 40BA (2), or by the hospital.

(6) Where any condition of employment of a
person to whom subsection (1) applies was, immediately
before the commencement of this Division, regulated by
an award or industrial agreement, that condition shall
15 continue after that commencement to be so regulated
until it is varied by an award by which the hospital is
bound made by a court of competent jurisdiction, or that
condition is regulated by an industrial agreement to which
the hospital is a party.

20 (7) Service with the board of control of a person
to whom subsection (1) applies shall be deemed to be
service with the hospital for the purposes of annual leave,
sick leave and long service leave.

25 (8) A person to whom subsection (1) applies
shall not, in respect of the same period of service, be
entitled to claim a benefit under this Division and another
Act.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

(9) Sixth Schedule—

5 After the Fifth Schedule, insert :—

SIXTH SCHEDULE.

Secs. 33FD
(1), 33FE.

10 All that piece or parcel of land situate in the City of Sydney, Parishes
of St. Lawrence and Alexandria and County of Cumberland, being lot 1,
Deposited Plan 593549, and having an area of 1997 square metres or
thereabouts.

SCHEDULE 2.

Sec. 3.

MISCELLANEOUS AMENDMENTS TO PART V OF THE
PUBLIC HOSPITALS ACT, 1929.

(1) Section 21A, definition of “appointed director”—

15 After “(2)”, insert “or 24B or by the Governor under
section 23B”.

(2) (a) Section 23c (1)—

Omit “or appointed” where firstly, secondly and
thirdly occurring.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 2—*continued.*

MISCELLANEOUS AMENDMENTS TO PART V OF THE
PUBLIC HOSPITALS ACT, 1929—*continued.*

(b) Section 23C (1) (a)—

5 Omit “except in the case of a person appointed under section 23A of this Act,”.

(c) Section 23C (1)—

Omit :—

10 As from the expiration of a period of six months after the commencement of the Public Hospitals (Amendment) Act, 1959, a director elected or appointed under this Act shall be deemed to have vacated his office upon the day on which he attains the age of seventy years.

15 A director elected or appointed under this Act who has attained the age of seventy years before the commencement of the Public Hospitals (Amendment) Act, 1959, or who attains that age after such commencement but before the expiration of a period
20 of six months after such commencement shall be deemed to have vacated his office upon the expiration of a period of six months after such commencement.

(3) Section 24 (2A)—

25 Omit “a director” where firstly occurring, insert instead “an elected director or a director appointed by the Governor under section 23B”.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 2—*continued.*

MISCELLANEOUS AMENDMENTS TO PART V OF THE
PUBLIC HOSPITALS ACT, 1929—*continued.*

(4) Section 24B—

- 5 Omit “a director” where firstly occurring, insert instead
“an appointed director”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

[16c]

PUBLIC HOSPITALS (UNITED DENTAL HOSPITAL OF SYDNEY) AMENDMENT BILL, 1978

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The following Bills are cognate with this Bill:—

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- Dentists (Dental Board) Amendment Bill, 1978

The objects of this Bill are—

- (a) to provide for the addition to the Second Schedule to the Public Hospitals Act, 1929, of the name of the United Dental Hospital of Sydney (Schedule 1);
 - (b) to provide for the constitution of the Board of Directors of the United Dental Hospital of Sydney (Schedule 1 (8));
 - (c) to vest in the Health Commission of New South Wales certain land on which the United Dental Hospital of Sydney is situated (Schedule 1 (8));
 - (d) to amend Part V of the Public Hospitals Act, 1929 (Schedule 2); and
 - (e) to make other provisions of a minor or ancillary nature.
-

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
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CHICAGO, ILLINOIS 60637
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**PUBLIC HOSPITALS (UNITED DENTAL HOSPITAL
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No. , 1978.

A BILL FOR

An Act to amend the Public Hospitals Act, 1929, to provide for the addition to the Second Schedule to that Act of the name of the United Dental Hospital of Sydney; to vest certain land upon which that hospital is situated in the Health Commission of New South Wales; and for other purposes.

[MR K. J. STEWART—14 *February*, 1978.]

Public Hospitals (United Dental Hospital of Sydney) Amendment.

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 :—

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2. This Act contains the following Schedules :— Schedules.

10 **SCHEDULE 1.—AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING TO THE UNITED DENTAL HOSPITAL OF SYDNEY.**

SCHEDULE 2.—MISCELLANEOUS AMENDMENTS TO PART V OF THE PUBLIC HOSPITALS ACT, 1929.

3. The Public Hospitals Act, 1929, is amended in the manner set forth in Schedules 1 and 2. Amendment of Act No. 8, 1929.

15 **4.** Section 24 (2A) of the Public Hospitals Act, 1929, as in force immediately before the commencement of Schedule 2 (3), shall be deemed never to have applied to a director appointed by the Minister. Application of sec. 24 (2A) of Act No. 8, 1929.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY.

(1) Section 1 (2)—

5 Omit the matter relating to Part VIA, insert instead :—

PART VIA.—PROVISIONS APPLICABLE TO CERTAIN
HOSPITALS.

DIVISION 1.—*Prince Henry Hospital.*

DIVISION 2.—*United Dental Hospital of Sydney.*

10 (2) Section 4 (6) (h)—

After section 4 (6) (g), insert :—

15 (h) On the day upon which an order is published under
this section adding to the Second Schedule the name of
the United Dental Hospital of Sydney, the Third Schedule
shall be amended by omitting the words “United Dental
Hospital.”.

(3) (a) Section 22 (1A)—

Omit “Each”, insert instead “Subject to section 33FC
(1), each”.

20 (b) Section 22 (2A)—

After “(2),”, insert “and subject to section 33FC
(1),”.

(4) Section 28 (1) (b)—

25 Omit “providing”, insert instead “subject to section 33FC
(4) and (5), providing”.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

(5) Part VIA, heading—

- 5 Omit "PRINCE HENRY HOSPITAL.", insert instead :—
PROVISIONS APPLICABLE TO CERTAIN HOSPITALS.

DIVISION 1.—*Prince Henry Hospital.*

(6) Section 33A—

Omit "Part of this Act", insert instead "Division".

10 (7) Section 33B (1)—

Omit "Part of this Act", insert instead "Division".

(8) Part VIA, Division 2—

After section 33F, insert :—

DIVISION 2.—*United Dental Hospital of Sydney.*

- 15 33FA. This Division shall commence on the day upon which an order is published under section 4 (2) adding to the Second Schedule the name of the United Dental Hospital of Sydney.

Commence-
ment of
Pt. VIA,
Div. 2.

- 20 33FB. In this Division, except in so far as the context or subject-matter otherwise indicates or requires—

Interpre-
tation:
Pt. VIA,
Div. 2.

"Board" means the Board of Directors of the hospital;

"board of control" means the board of control referred to in the Dental Hospitals Union Act, 1904, of the United Dental Hospital of Sydney;

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

- 5 “Chairman” means Chairman of the Board;
 “hospital” means the United Dental Hospital of
 Sydney constituted under this Division;
10 “superannuation scheme” means a scheme, fund or
 arrangement under which any superannuation or
 retirement benefits are provided and which is
 established by or under any Act.

15 33FC. (1) The Board shall consist of 9 directors Board of
Directors.
 appointed by the Minister, 3 of whom shall be persons
 nominated by the University of Sydney within such period
 and in such manner as may from time to time be fixed by
 the Minister and notified by him to that university.

20 (2) If a nomination is not made as provided by
 subsection (1) and the period within which the nomination
 is required to be made has expired, the Minister may
 nominate 3 persons to be directors of the Board and the
 persons so nominated by the Minister shall, on their
 appointment, be deemed to have been nominated as
 provided by subsection (1).

25 (3) Where a vacancy referred to in section 24B
 occurs in the office of a director nominated in accordance
 with this section, the person appointed under section 24B
 to fill the vacancy shall be a person nominated in
 accordance with this section.

30 (4) The Chairman shall be the director who
 is so appointed by the Minister in and by the notification
 of his appointment as a director or by a subsequent
 notification published in the Gazette.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 (5) The term of office of the Chairman shall
be the period specified as such in the notification of his
appointment as Chairman.

(6) The Chairman shall hold office as Chairman
for the period from the date of commencement of his term
of office as Chairman until—

10 (a) he resigns his office as Chairman by writing
under his hand addressed to the Minister and the
Minister accepts his resignation;

(b) he is deemed to have vacated his office as a
director pursuant to section 24A (1);

15 (c) the date of expiration of his term of office as a
director; or

(d) the date of expiration of his term of office as
Chairman,

whichever event first occurs.

20 33FD. (1) So much of the land described in the Sixth Schedule as is not vested in the Commission is hereby
vested in the Commission for an estate in fee simple freed
and discharged from all trusts that, immediately before the
commencement of this section, affected that land, and section
25 19 (1) (b) has no operation in respect of the land
hereby vested.

(2) The vesting effected by subsection (1) shall
be without prejudice to any reservation, mortgage, charge,
encumbrance, lien or lease, that, immediately before the
30 commencement of this section, affected the land vested.

Public Hospitals (United Dental Hospital of Sydney) Amendment

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 33FE. Upon application in writing by the Commission, the Registrar-General shall issue to the Commission a certificate of title under the Real Property Act, 1900, for the whole of the land described in the Sixth Schedule. Issue of certificate of title.

10 33FF. (1) All persons who, immediately before the commencement of this Division, were employees, servants, or members of the staff, of the board of control shall be deemed to have been appointed as employees, servants, or members of the staff, of the hospital. Savings and transitional provisions.

15 (2) Subject to subsection (3), where a person to whom subsection (1) applies was, immediately before his appointment as an employee, a servant, or a member of the staff, of the hospital, a contributor to a superannuation scheme, he—

(a) shall retain any rights accrued or accruing to him as such a contributor;

20 (b) may continue to contribute to any superannuation scheme to which he was a contributor immediately before his appointment as an employee, a servant, or a member of the staff, of the hospital;

25 and—

(c) his service as an employee, a servant, or a member of the staff, of the board of control shall be deemed to be service as an officer or employee of the hospital for the purpose of any law under which those rights accrued or were accruing or under which he continues to contribute; and

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 (d) he shall be deemed to be an officer or employee,
and the hospital shall be deemed to be his
employer, for the purpose of the superannuation
scheme to which he is entitled to contribute
under this section.

10 (3) An employee, a servant, or a member of the
staff, of the hospital who, but for this subsection, would be
entitled under subsection (2) to contribute to a super-
annuation scheme shall not be so entitled upon his becom-
15 ing (whether upon his appointment as an employee, a
servant, or a member of the staff, of the hospital or at any
later time while he holds office as an employee, a servant,
or a member of the staff, of the hospital) a contributor to
20 any other superannuation scheme, and the provisions of
subsection (2) (d) cease to apply to or in respect of him
and the hospital in any case where he becomes a
contributor to another superannuation scheme.

25 (4) Subsection (3) does not prevent the pay-
ment to an employee, a servant, or a member of the staff,
of the hospital upon his ceasing to be a contributor to a
superannuation scheme of such amount as would have
been payable to him if he had ceased, by reason of
30 resignation, to be an officer or employee for the purposes
of that scheme.

(5) A person to whom subsection (1) applies
shall be paid salary or wages by the hospital at a rate not
30 less than the rate which was payable to him immediately

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

5 before the commencement of this Division, subject to any
adjustment necessary to give effect to any fluctuation in a
basic or minimum wage by reference to which his salary
or wages is or are fixed, until the salary or wages payable
to him is or are varied or altered by an award of a
10 competent tribunal, an industrial agreement or a
determination under section 40BA (2), or by the hospital.

(6) Where any condition of employment of a
person to whom subsection (1) applies was, immediately
before the commencement of this Division, regulated by
an award or industrial agreement, that condition shall
15 continue after that commencement to be so regulated
until it is varied by an award by which the hospital is
bound made by a court of competent jurisdiction, or that
condition is regulated by an industrial agreement to which
the hospital is a party.

(7) Service with the board of control of a person
20 to whom subsection (1) applies shall be deemed to be
service with the hospital for the purposes of annual leave,
sick leave and long service leave.

(8) A person to whom subsection (1) applies
25 shall not, in respect of the same period of service, be
entitled to claim a benefit under this Division and another
Act.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929, RELATING
TO THE UNITED DENTAL HOSPITAL OF SYDNEY—*continued.*

(9) Sixth Schedule—

5 After the Fifth Schedule, insert :—

SIXTH SCHEDULE.

Secs. 33FD
(1), 33FE.

All that piece or parcel of land situate in the City of Sydney, Parishes
of St. Lawrence and Alexandria and County of Cumberland, being lot 1,
Deposited Plan 593549, and having an area of 1997 square metres or
10 thereabouts.

SCHEDULE 2.

Sec. 3.

MISCELLANEOUS AMENDMENTS TO PART V OF THE
PUBLIC HOSPITALS ACT, 1929.

(1) Section 21A, definition of “appointed director”—

15 After “(2)”, insert “or 24B or by the Governor under
section 23B”.

(2) (a) Section 23c (1)—

Omit “or appointed” where firstly, secondly and
thirdly occurring.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 2—*continued.*

MISCELLANEOUS AMENDMENTS TO PART V OF THE
PUBLIC HOSPITALS ACT, 1929—*continued.*

(b) Section 23C (1) (a)—

5 Omit “except in the case of a person appointed under
section 23A of this Act.”.

(c) Section 23C (1)—

Omit :—

10 As from the expiration of a period of six months
after the commencement of the Public Hospitals
(Amendment) Act, 1959, a director elected or
appointed under this Act shall be deemed to have
vacated his office upon the day on which he attains
the age of seventy years.

15 A director elected or appointed under this Act who
has attained the age of seventy years before the
commencement of the Public Hospitals (Amendment)
Act, 1959, or who attains that age after such
20 commencement but before the expiration of a period
of six months after such commencement shall be
deemed to have vacated his office upon the expiration
of a period of six months after such commencement.

(3) Section 24 (2A)—

25 Omit “a director” where firstly occurring, insert instead
“an elected director or a director appointed by the
Governor under section 23B”.

Public Hospitals (United Dental Hospital of Sydney) Amendment.

SCHEDULE 2—continued.

**MISCELLANEOUS AMENDMENTS TO PART V OF THE
PUBLIC HOSPITALS ACT, 1929—continued.**

(4) Section 24B—

- 5 Omit “a director” where firstly occurring, insert instead
“an appointed director”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

