

# CONCURRENCE COPY

## PUBLIC HOSPITALS (AMENDMENT) BILL, 1982

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### EXPLANATORY NOTE

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

The objects of this Bill are to amend the Public Hospitals Act, 1929 ("the Principal Act") so as—

- (a) to repeal the provisions enabling the Governor, on the recommendation of the Health Commission of New South Wales, to close or amalgamate incorporated hospitals (Schedule 1 (1));
  - (b) to enable the Governor to close or amalgamate incorporated hospitals where the Minister for Health is of the opinion that the closure or amalgamation is in the public interest (Schedule 1 (2)—proposed section 13A (1) and (2));
  - (c) to provide that closures or amalgamations of incorporated hospitals by the Governor shall be effected without the holding of an inquiry (Schedule 1 (2)—proposed section 13A (3));
  - (d) to apply the proposed provisions relating to the closure or amalgamation of incorporated hospitals to associated organisations to which Division 2 of Part VA of the Principal Act applies, to the boards of such associated organisations and to bodies corporate constituted under that Division (Schedule 1 (3)); and
  - (e) to make other provisions of a minor, consequential or ancillary nature.
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## PUBLIC AFFAIRS / INFORMATION

### EXPLANATION

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**PUBLIC HOSPITALS (AMENDMENT) BILL, 1982**

No. , 1982.

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**A BILL FOR**

An Act to amend the Public Hospitals Act, 1929, in relation to the closure and amalgamation of incorporated hospitals and certain other bodies.

[MR BRERETON—30 *September*, 1982.]

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*Public Hospitals (Amendment).*

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**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 Short title.**

**1.** This Act may be cited as the "Public Hospitals (Amendment) Act, 1982".

**Amendment of Act No. 8, 1929.**

**2.** The Public Hospitals Act, 1929, is amended in the manner set forth 10 in Schedule 1.

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SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929.

(1) (a) Section 13 (1) (a)—

15 Omit the paragraph.

(b) Section 13 (1) (b)—

Omit the paragraph, insert instead:—

(b) limit or extend the activities of any incorporated hospital;

(c) Section 13 (2)—

20 Omit the subsection.

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*Public Hospitals (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929—*continued.*

(2) Section 13A—

After section 13, insert:—

**5**           **Closure or amalgamation of hospitals.**

13A. (1) Where the Minister is of the opinion that it is in the public interest to—

(a) close any incorporated hospital; or

(b) amalgamate any 2 or more incorporated hospitals,

**10**           he may recommend to the Governor that the hospital be closed or the hospitals be amalgamated, as the case may be.

(2) The Governor may, in accordance with a recommendation made under this section, by order published in the Gazette—

(a) close an incorporated hospital; or

**15**           (b) amalgamate 2 or more incorporated hospitals.

(3) A closure or an amalgamation shall be effected under this section without the holding of an inquiry.

(3) Section 29I (2)—

Before “section 14”, insert “section 13A,”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1982

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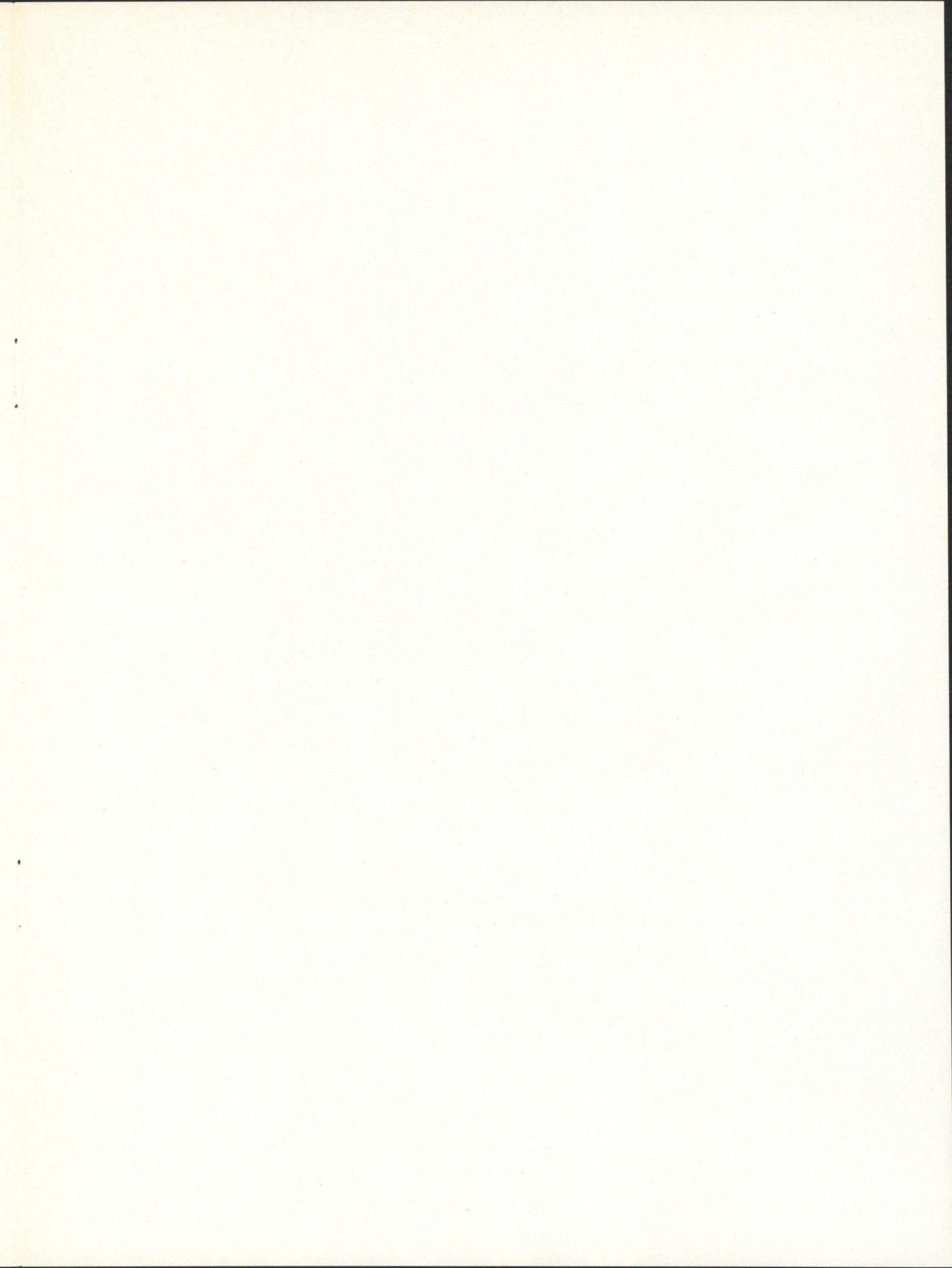
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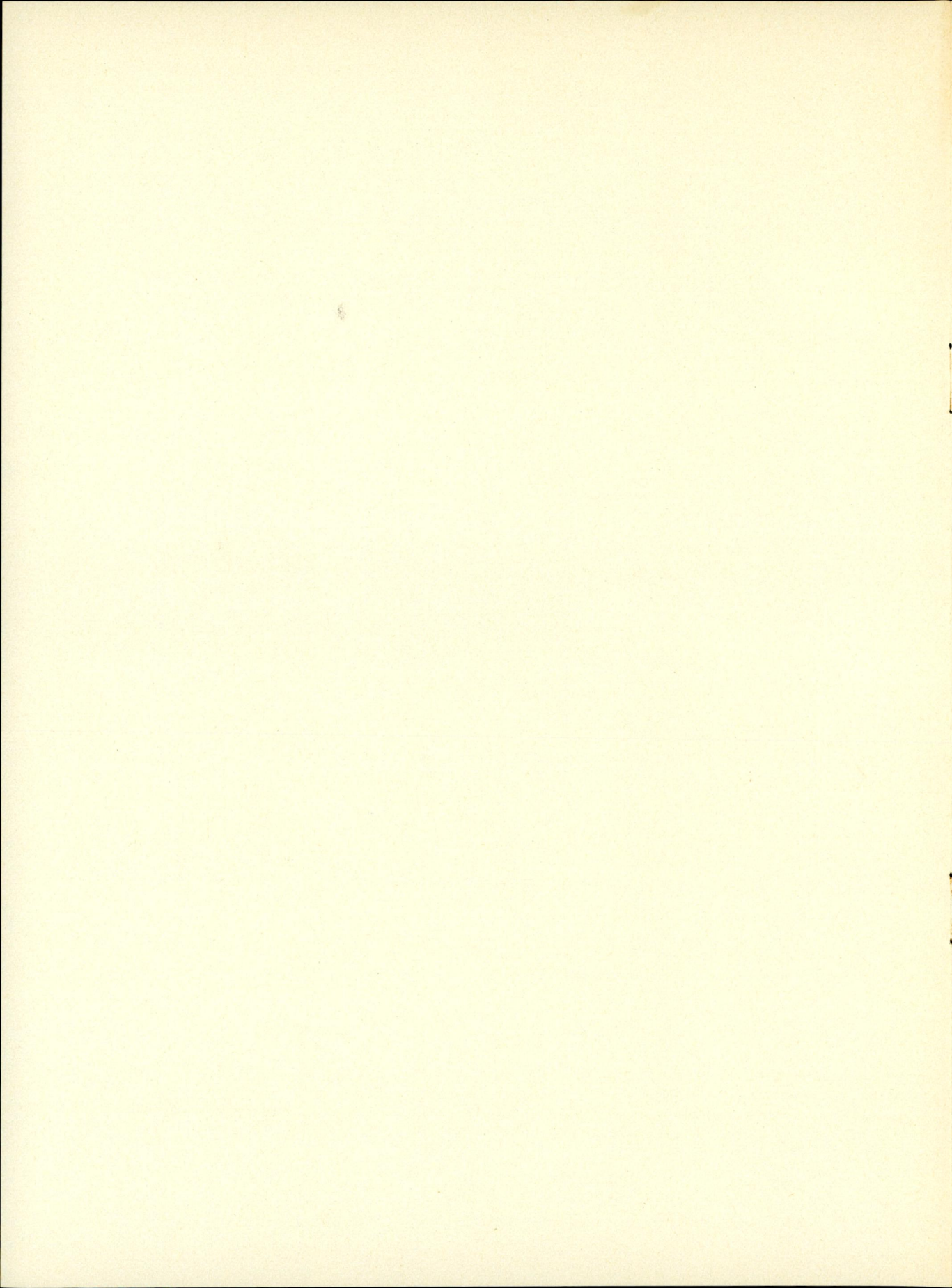
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**PUBLIC HOSPITALS (AMENDMENT) ACT, 1982, No. 103**

**New South Wales**



ANNO TRICESIMO PRIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 103, 1982.**

An Act to amend the Public Hospitals Act, 1929, in relation to the closure and amalgamation of incorporated hospitals and certain other bodies.  
[Assented to, 27th October, 1982.]

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*Public Hospitals (Amendment).*

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**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.**

1. This Act may be cited as the "Public Hospitals (Amendment) Act, 1982".

**Amendment of Act No. 8, 1929.**

2. The Public Hospitals Act, 1929, is amended in the manner set forth in Schedule 1.

---

SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929.

(1) (a) Section 13 (1) (a)—

Omit the paragraph.

(b) Section 13 (1) (b)—

Omit the paragraph, insert instead:—

(b) limit or extend the activities of any incorporated hospital;

(c) Section 13 (2)—

Omit the subsection.

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*Public Hospitals (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PUBLIC HOSPITALS ACT, 1929—*continued.*

(2) Section 13A—

After section 13, insert:—

**Closure or amalgamation of hospitals.**

13A. (1) Where the Minister is of the opinion that it is in the public interest to—

- (a) close any incorporated hospital; or
- (b) amalgamate any 2 or more incorporated hospitals,

he may recommend to the Governor that the hospital be closed or the hospitals be amalgamated, as the case may be.

(2) The Governor may, in accordance with a recommendation made under this section, by order published in the Gazette—

- (a) close an incorporated hospital; or
- (b) amalgamate 2 or more incorporated hospitals.

(3) A closure or an amalgamation shall be effected under this section without the holding of an inquiry.

(3) Section 29I (2)—

Before “section 14”, insert “section 13A,”.

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

J. A. ROWLAND,  
*Governor.*

*Government House,  
Sydney, 27th October, 1982.*

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