

FIRST PRINT

**PRIVATE HEALTH ESTABLISHMENTS (AMENDMENT)
BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Drug Offensive Bill 1987.

The object of this Bill is to amend the Private Health Establishments Act 1982 so as to make it clear that an establishment which provides residential accommodation in conjunction with treatment or rehabilitation for drug or alcohol related problems and which is licensed under the proposed Drug and Alcohol Rehabilitation Establishments Act 1987 is not a nursing home or a private hospital within the meaning of the Private Health Establishments Act 1982.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence on the day the proposed Drug and Alcohol Rehabilitation Establishments Act 1987 commences.

Clause 3 is a formal provision that gives effect to the Schedule of amendments.

Schedule 1 amends section 4 (Interpretation) of the Principal Act for the purposes outlined above.

**PRIVATE HEALTH ESTABLISHMENTS (AMENDMENT)
BILL 1987**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 130, 1982

SCHEDULE 1—AMENDMENTS TO THE PRIVATE HEALTH ESTABLISHMENTS
ACT 1982

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PERMITS AND APPROVALS.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE AND SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PROTECTION.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS ON THE SITE AND SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PROTECTION.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROADS AND HIGHWAYS ON THE SITE AND SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PROTECTION.

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10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS ON THE SITE AND SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PROTECTION.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROADS AND HIGHWAYS ON THE SITE AND SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PROTECTION.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE AND SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PROTECTION.

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15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE AND SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH PROTECTION.

**PRIVATE HEALTH ESTABLISHMENTS (AMENDMENT)
BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Private Health Establishments Act 1982 as a consequence of, and in connection with, the enactment of the Drug and Alcohol Rehabilitation Establishments Act 1987.

Private Health Establishments (Amendment) 1987

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 "Private Health Establishments (Amendment) Act 1987".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Drug and Alcohol Rehabilitation Establishments Act 1987.

Amendment of Act No. 130, 1982

15 3. The Private Health Establishments Act 1982 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

**AMENDMENTS TO THE PRIVATE HEALTH ESTABLISHMENTS
20 ACT 1982**

(1) Section 4 (1), definition of "nursing home"—

(a) From paragraph (e), omit "or" where lastly occurring.

(b) At the end of paragraph (f), insert:

; or

25 (g) a residential rehabilitation establishment licensed under the Drug and Alcohol Rehabilitation Establishments Act 1987;

Private Health Establishments (Amendment) 1987

SCHEDULE 1—*continued*

AMENDMENTS TO THE PRIVATE HEALTH ESTABLISHMENTS
ACT 1982—*continued*

(2) Section 4 (1), definition of “private hospital”—

(a) From paragraph (c), omit “or” where lastly occurring.

(b) At the end of paragraph (d), insert:

; or

5 (e) a residential rehabilitation establishment licensed under
the Drug and Alcohol Rehabilitation Establishments Act
1987;

AMENDMENTS TO THE PRIVATE HEALTH INSURANCE ACT 1983

- (a) Section 4(1) (definition of "private hospital")
- (b) At the end of paragraph (b), insert—
- (c) a reference to the establishment established and maintained for the purposes of the Act.

10

11. Amendment of section 4

Section 4 of the Act is amended—

(a) in subsection (1), after the definition of "private hospital", insert—

"private hospital" means a hospital established and maintained for the purposes of the Act;

(b) in subsection (2), after the definition of "private hospital", insert—

"private hospital" means a hospital established and maintained for the purposes of the Act;

12. Amendment of section 5

Section 5 of the Act is amended—

(a) in subsection (1), after the definition of "private hospital", insert—

"private hospital" means a hospital established and maintained for the purposes of the Act;

(b) in subsection (2), after the definition of "private hospital", insert—

"private hospital" means a hospital established and maintained for the purposes of the Act;

**PRIVATE HEALTH ESTABLISHMENTS (AMENDMENT)
ACT 1987 No. 121**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 130, 1982

**SCHEDULE 1—AMENDMENTS TO THE PRIVATE HEALTH ESTABLISHMENTS
ACT 1982**

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PRIVATE HEALTH ESTABLISHMENTS (AMENDMENT) ACT 1987
No. 121

NEW SOUTH WALES



Act No. 121, 1987

An Act to amend the Private Health Establishments Act 1982 as a consequence of, and in connection with, the enactment of the Drug and Alcohol Rehabilitation Establishments Act 1987. [Assented to 16 June 1987]

Private Health Establishments (Amendment) 1987

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 "Private Health Establishments (Amendment) Act 1987".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Drug and Alcohol Rehabilitation Establishments Act 1987.

Amendment of Act No. 130, 1982

3. The Private Health Establishments Act 1982 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

**AMENDMENTS TO THE PRIVATE HEALTH ESTABLISHMENTS
ACT 1982**

(1) Section 4 (1), definition of "nursing home"—

(a) From paragraph (e), omit "or" where lastly occurring.

(b) At the end of paragraph (f), insert:

; or

(g) a residential rehabilitation establishment licensed under the Drug and Alcohol Rehabilitation Establishments Act 1987;

Private Health Establishments (Amendment) 1987

SCHEDULE 1—*continued*

AMENDMENTS TO THE PRIVATE HEALTH ESTABLISHMENTS
ACT 1982—*continued*

- (2) Section 4 (1), definition of “private hospital”—
- (a) From paragraph (c), omit “or” where lastly occurring.
 - (b) At the end of paragraph (d), insert:
 - ; or
 - (e) a residential rehabilitation establishment licensed under the Drug and Alcohol Rehabilitation Establishments Act 1987;

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