

FIRST PRINT

**PUBLIC HOSPITALS (DISPOSITION OF LAND)
AMENDMENT BILL 1986**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Public Hospitals Act 1929 so as to allow land owned by hospitals listed in the Second Schedule to that Act and required by the Crown grant of the land to be used for hospital purposes to be disposed of or used, with the approval of the Minister for Health, for any other purposes.

Clause 1 specifies the short title of the proposed Act.

Clause 2 substitutes section 20 of the Public Hospitals Act 1929. The proposed section 20 restates, in subsections (1) and (2), the matter appearing in the present section relating to the acquisition and disposal of land by Second Schedule hospitals. In addition, subsections (3) and (4) of the proposed section provide—

- (a) that the Minister may approve of any such hospital disposing of land, dedicating land as a public road or using land contrary to restrictions imposed by the Crown grant of the land; and
- (b) that a disposition or dedication of land in accordance with the approval (and any subsequent use of the land) or a use of land in accordance with the approval shall not be a breach of the provisions of the Crown grant or any trust arising under that grant or make the land liable to forfeiture to the Crown.

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NEW SOUTH WALES

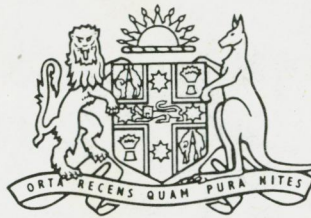


TABLE OF PROVISIONS

1. Short title
 2. Amendment of Act No. 8, 1929
-

**PUBLIC HOSPITALS (DISPOSITION OF LAND)
AMENDMENT BILL 1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Public Hospitals Act 1929 with respect to the disposing and use of land by hospitals listed in the Second Schedule to that Act, and for other purposes.

Public Hospitals (Disposition of Land) Amendment 1986

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 (Disposition of Land) Amendment Act 1986".

Amendment of Act No. 8, 1929

2. The Public Hospitals Act 1929 is amended by omitting section 20 and by inserting instead the following section:

Power in relation to property

20. (1) A body corporate constituted by or under this Part may do all or any of the following things:

- 15 (a) purchase or otherwise acquire, and use, land or any other property (whether or not the land or other property is required for the purposes of the hospital);
- (b) sell, lease, mortgage or otherwise dispose of land or any other property;
- (c) dedicate land as a public road.

20 (2) The body corporate shall not acquire land by purchase, lease or exchange, dispose of land by sale, lease, mortgage or otherwise or dedicate land as a public road without the approval of the Minister.

25 (3) The body corporate may request the Minister to give approval to a disposition or dedication of land or a use of land, being a disposition; dedication or use—

- (a) which is contrary to a provision of, or a trust arising under, the Crown grant of that land; or
- (b) which, if this section had not been enacted, may make the land liable to be forfeited to the Crown,

30 and the Minister may give that approval.

Public Hospitals (Disposition of Land) Amendment 1986

(4) If the Minister has given an approval under this section (as in force at any time) to a disposition or dedication of land, or to a use of land, neither the disposition or dedication of the land (or its subsequent use) nor the use of the land shall—

- 5 (a) be regarded as a breach of any provision of, or of any trust arising under, the Crown grant of that land; or
- (b) make the land liable to be forfeited to the Crown.

**PUBLIC HOSPITALS (DISPOSITION OF LAND)
AMENDMENT ACT 1986 No. 97**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Amendment of Act No. 8, 1929
-

**PUBLIC HOSPITALS (DISPOSITION OF LAND) AMENDMENT
ACT 1986 No. 97**

NEW SOUTH WALES



Act No. 97, 1986

An Act to amend the Public Hospitals Act 1929 with respect to the disposing and use of land by hospitals listed in the Second Schedule to that Act, and for other purposes. [Assented to 7 October 1986.]

Public Hospitals (Disposition of Land) Amendment 1986

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 (Disposition of Land) Amendment Act 1986".

Amendment of Act No. 8, 1929

2. The Public Hospitals Act 1929 is amended by omitting section 20 and by inserting instead the following section:

Power in relation to property

20. (1) A body corporate constituted by or under this Part may do all or any of the following things:

- (a) purchase or otherwise acquire, and use, land or any other property (whether or not the land or other property is required for the purposes of the hospital);
- (b) sell, lease, mortgage or otherwise dispose of land or any other property;
- (c) dedicate land as a public road.

(2) The body corporate shall not acquire land by purchase, lease or exchange, dispose of land by sale, lease, mortgage or otherwise or dedicate land as a public road without the approval of the Minister.

(3) The body corporate may request the Minister to give approval to a disposition or dedication of land or a use of land, being a disposition, dedication or use—

- (a) which is contrary to a provision of, or a trust arising under, the Crown grant of that land; or
- (b) which, if this section had not been enacted, may make the land liable to be forfeited to the Crown,

and the Minister may give that approval.

Public Hospitals (Disposition of Land) Amendment 1986

(4) If the Minister has given an approval under this section (as in force at any time) to a disposition or dedication of land, or to a use of land, neither the disposition or dedication of the land (or its subsequent use) nor the use of the land shall—

- (a) be regarded as a breach of any provision of, or of any trust arising under, the Crown grant of that land; or
- (b) make the land liable to be forfeited to the Crown.

