

PRIVATE HOSPITALS BILL.

SCHEDULE of the Amendments referred to in Message of 7th December, 1908.

- Page 1, clause 2, line 13. *After* "nursing" *insert* "and has passed an examination
" approved of by the Board of Health "
- Page 4, clause 11, line 27. *After* "hospital" *insert* " licensed for lying-in purposes "
- Page 4, clause 11, line 34. *After* "any" *insert* "such "
- Page 4, clause 12, line 38. *Before* "tne" *insert* "licensed for lying-in purposes "
- Page 5, clause 16, lines 23 and 24. *Omit* "on the recommendation of the Board of
" Health "
- Page 6, clause 18. At end of clause *add* "and shall be laid before both Houses of
" Parliament within seven days after publication if Parliament is in
" Session, and if not, then within seven days after the commencement of
" the next Session "
- Page 6. *After* clause 18 *insert* new clause 19.
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UNITED STATES SENATE

SENATE RECORDS OF THE SENATE OF THE UNITED STATES

Page 1, clause 2, line 12. After "and" insert "and" and pass the amendment
"approved of by the Board of Directors."
Page 4, clause 11, line 11. After "and" insert "and" and pass the amendment
Page 4, clause 11, line 12. After "and" insert "and" and pass the amendment
Page 4, clause 12, line 12. After "and" insert "and" and pass the amendment
Page 5, clause 13, line 12. After "and" insert "and" and pass the amendment
"Held."
Page 6, clause 14. After "and" insert "and" and shall be held in full session of
"Parliament" within seven days after adjournment if Parliament is in
"Session, and if not then within seven days after the commencement of
"the next Session."
Page 6. After clause 14 insert clause 15.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber,
Sydney, 2nd September, 1908. }

JOHN J. CALVERT,
Clerk of the Parliaments.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with Amendments.

Legislative Assembly Chamber,
Sydney, 7 December, 1908. }

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

Act No. , 1908.

An Act to provide for the regulation and inspection of private hospitals.

BE it enacted by the King'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

Preliminary.

1. This Act may be cited as the "Private Hospitals Act, 1908." Short title.

2. In this Act, if not inconsistent with the context,— Definitions.

"Birth" includes still-birth and miscarriage at any period.

10

"Hospital nurse" means a person who holds a certificate from a recognised medical and surgical hospital showing that such person has attended the practice of such hospital for not less than three years, and has shown proficiency in medical and surgical nursing, and has passed an examination approved of by the Board of Health.

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"Manager"

NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter.

Private Hospitals.

“Manager” means the resident manager of a private hospital.

“Midwifery nurse” means a woman who holds a certificate from a recognised maternity hospital showing that she has attended the practice of such hospital for not less than one year, and shown proficiency in midwifery, nursing, and obstetrics.

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“Minister” means the Minister of the Crown for the time being charged with the administration of this Act.

“Patient” means any person received and lodged in a private hospital.

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“Prescribed” means prescribed by this Act, or by regulations made under this Act.

“Private hospital” means any house, building, tent, or place (other than an institution wholly or in part supported by the State) in which medical and surgical or lying-in cases are received and lodged, or in which it is intended that they shall be received and lodged for treatment, attendance, or care, and a charge is made for such treatment, attendance, or care.

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“Recognised” means recognised by the Minister, on the recommendation of the Board of Health, for the purposes of this Act.

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3. The Board of Health shall cause to be kept a register of hospital nurses and midwifery nurses for the purposes of this Act, and such registers shall contain the prescribed particulars and be kept in the prescribed form.

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4. Each person whose name is on any such register shall inform the Board of Health of any change in his or her address, and if default is made in complying with this section his or her name may be removed by the board from such register.

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5. The said board may remove from any such register the name of any person who—

(a) has died, or has for a continuous period of twelve months been absent from New South Wales; or

(b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within New South Wales, would be a felony or misdemeanour; or

35

(c) has knowingly acted as nurse in a private hospital carried on otherwise than under this Act.

Licensing of private hospitals.

40 6. (1) No private hospital shall be carried on, used, or conducted, except under the authority of a license granted by the Minister on the recommendation of the Board of Health.

40

(2)

Private Hospitals.

(2) Every person who commits a breach of this section shall be liable to a fine of not exceeding fifty pounds and not less than ten pounds.

(3) Provided that the Minister may, on the recommendation of the Board of Health, exempt any hospital from the operation of this Act.

(4) Provided also that the Minister may, on the recommendation of the Board of Health, exempt from the operation of this Act any private hospital which, owing to its remoteness, cannot be conducted in conformity with the conditions stipulated herein, and is certified by the nearest resident police officer as being respectably carried on and necessary in the public interests. Such exemption to be revocable by the Minister at any time.

(5) Provided also that institutions licensed under the Lunacy Act of 1898, or the Inebriates Act of 1900, or amendments of these Acts, are exempt from the operation of this Act.

7. (1) Every application for a license shall be addressed to the Board of Health, and shall state the full name, place of abode, and occupation of the applicant.

(2) Such application shall, except in the case of renewals, be accompanied by—

- (a) a statement of the maximum number of patients proposed to be received into the private hospital ;
- (b) a plan of any house or building included in such hospital, on a scale not less than eight feet to the inch ;
- (c) a description of the situation thereof ;
- (d) a statement of the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein ;
- (e) a statement of the rooms to be used exclusively by the patients and those to be used exclusively by the nurses and other employees, and by the licensee and his family, or by the manager and his family ;
- (f) a full description of the sanitary arrangements ; and
- (g) a statement as to the number and class of cases intended to be received, whether lying-in cases or surgical and medical cases.

8. (1) No license shall be granted in respect of a private hospital not previously licensed until the house and the buildings annexed thereto have been approved by the Minister, on the recommendation of the Board of Health, and no addition to any private hospital shall be made until the plan thereof has been approved by the Minister as aforesaid.

(2) Before granting any such license the Minister shall, as aforesaid, satisfy himself as to the character and fitness of the applicant.

Private Hospitals.

(3) The license shall state whether it is in respect of a lying-in private hospital or a medical and surgical private hospital, and no lying-in patient shall be received in a private hospital unless it is licensed for such cases, and no patient other than a lying-in patient shall be received in a private hospital for lying-in cases only :

Provided that where the Minister is satisfied as aforesaid that the accommodation is suitable, he may specially license a private hospital for both purposes.

9. The license shall continue in force until the thirty-first day of December next after the date thereof, unless it is previously revoked as hereinafter provided, but may be renewed by the granting of a new license. Period of license.

Management of private hospitals.

10. (1) For every private hospital there shall be a resident manager, who may be either the licensee himself, or some person appointed by the licensee; and in every case the manager shall be either a legally qualified medical practitioner or— Manager of hospital.

- (a) a hospital nurse, in the case of a surgical and medical hospital ;
(b) a midwifery nurse, in the case of a lying-in hospital ; or
20 (c) a hospital nurse and midwifery nurse, or a hospital nurse having, as resident assistant, a midwifery nurse in the case of a hospital licensed for other purposes ;
(d) any person approved by the Board of Health.

(2) The full name and qualification of every person intended to be appointed under paragraphs (b) and (c) aforesaid, shall be submitted by the licensee to the Board of Health for approval.

11. (1) When a patient in a private hospital licensed for lying-in purposes is found or is reasonably suspected to be suffering from any disease which may be proclaimed for the purposes of this Act by the Governor on the recommendation of the Board of Health, the manager shall, within twenty-four hours, give notice thereof to the secretary of the Board of Health, in a form and manner to be prescribed. Notice of certain diseases.

(2) If the manager of any such private hospital fails to give any such notice or information, he shall be liable to a fine not exceeding fifty pounds.

12. In the case of a death or birth in a private hospital licensed for lying-in purposes, the manager shall, within twenty-four hours, and before interment in case of a death, report the same to the district registrar of births, deaths, and marriages, giving full particulars of the death or birth according to a form and in manner to be prescribed; and any manager who fails to make such immediate report shall be liable to a penalty not exceeding twenty pounds. Notice of death or birth.

Private Hospitals.

13. (1) In every private hospital there shall be kept, in a form Register to be kept in hospital. to be prescribed, a register of patients in which shall, from time to time, be entered—

- 5 (a) The name, age, and usual place of abode of every patient, and the date of his reception into the hospital.
 (b) The name of the medical practitioner (if any) attending him.
 (c) The date when he left the hospital, or, in the event of his death, the date thereof; and
 (d) Such other particulars as may be prescribed.

10 (2) Such particulars shall be entered on the register by the persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such entry, who knowingly suppresses any material fact, or enters any particulars that are untrue, is liable to a fine not exceeding one 15 hundred pounds.

14. Every private hospital, and every part thereof, together with the register of patients mentioned in the last preceding clause, shall at all times be open to inspection by the president of the Board of Health, or by any person duly authorised by the Board of Health Inspection of hospital. on that behalf.

15. A private hospital shall not, during the currency of its license, be used for any other purpose than that for which it is licensed. Purpose for which hospital may be used.

16. (1) The Minister may, ~~on the recommendation of the Board of Health,~~ at any time cause an inquiry to be made as to the Inquiry as to management of private hospitals. management of any private hospital by some person to be appointed by him for that purpose.

(2) The person so appointed shall, for the purpose of such inquiry, report the result of the inquiry to the Minister.

(3) The Minister may, if he thinks fit, after such inquiry, 30 revoke the license granted in respect of the private hospital, and, in such cases, no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation: Provided that no license shall be revoked unless the licensee has been afforded opportunity of giving and producing 35 evidence at the inquiry.

17. The fact that two or more persons, not members of the occupier's family, are received and lodged in any house, building, tent, or place in any one month, or six persons within one year, as lying-in cases, or for other medical or surgical treatment, attendance, or care, shall be prima facie evidence that the house, building, tent, or place is a private hospital within the meaning of this Act, whether or not it is proved that a charge is made for lying-in or for such treatment, attendance, or care. Evidence that house, &c., is a private hospital.

Private Hospitals.

18. The Governor may, on the recommendation of the Board^{Regulations.} of Health, make regulations for the licensing, management, and inspection of private hospitals, and generally for carrying this Act into effect, and may by such regulations impose a fine not exceeding fifty 5 pounds for any breach thereof. Regulations under this Act shall be published in the Gazette and shall be laid before both Houses of Parliament within seven days after publication, if Parliament is in session, and if not, then within seven days after the commencement of the next session.

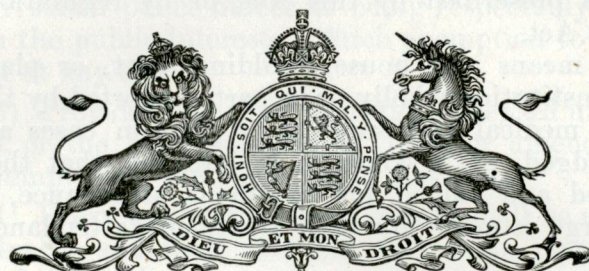
10 19. Any medicines to be dispensed or compounded for use in^{Medicines dispensed} hospitals as defined under this Act shall be so dispensed or com-^{by pharmacists.} pounded by pharmacists registered under the Pharmacy Board of New South Wales.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 2nd September, 1908.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

Act No. , 1908.

An Act to provide for the regulation and inspection of private hospitals.

BE it enacted by the King'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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Preliminary.

1. This Act may be cited as the "Private Hospitals Act, 1908." Short title.

2. In this Act, if not inconsistent with the context,— Definitions.

"Birth" includes still-birth and miscarriage at any period.

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"Hospital nurse" means a person who holds a certificate from a recognised medical and surgical hospital showing that such person has attended the practice of such hospital for not less than three years, and has shown proficiency in medical and surgical nursing. ■

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"Manager"

Private Hospitals.

“Manager” means the resident manager of a private hospital.

“Midwifery nurse” means a woman who holds a certificate from a recognised maternity hospital showing that she has attended the practice of such hospital for not less than one year, and shown proficiency in midwifery, nursing, and obstetrics.

5

“Minister” means the Minister of the Crown for the time being charged with the administration of this Act.

“Patient” means any person received and lodged in a private hospital.

10

“Prescribed” means prescribed by this Act, or by regulations made under this Act.

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“Private hospital” means any house, building, tent, or place (other than an institution wholly or in part supported by the State) in which medical and surgical or lying-in cases are received and lodged, or in which it is intended that they shall be received and lodged for treatment, attendance, or care, and a charge is made for such treatment, attendance, or care.

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“Recognised” means recognised by the Minister, on the recommendation of the Board of Health, for the purposes of this Act.

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3. The Board of Health shall cause to be kept a register of hospital nurses and midwifery nurses for the purposes of this Act, and such registers shall contain the prescribed particulars and be kept in the prescribed form. Registers of trained nurses and midwives.

4. Each person whose name is on any such register shall inform the Board of Health of any change in his or her address, and if default is made in complying with this section his or her name may be removed by the board from such register. Registered nurse to inform board of change of her address.

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5. The said board may remove from any such register the name of any person who— Removal of names from registers.

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(a) has died, or has for a continuous period of twelve months been absent from New South Wales; or

(b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within New South Wales, would be a felony or misdemeanour; or

(c) has knowingly acted as nurse in a private hospital carried on otherwise than under this Act.

Licensing of private hospitals.

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6. (1) No private hospital shall be carried on, used, or conducted, except under the authority of a license granted by the Minister on the recommendation of the Board of Health. Private hospital to be licensed.

Private Hospitals.

(2) Every person who commits a breach of this section shall be liable to a fine of not exceeding fifty pounds and not less than ten pounds.

(3) Provided that the Minister may, on the recommendation of the Board of Health, exempt any hospital from the operation of this Act.

(4) Provided also that the Minister may, on the recommendation of the Board of Health, exempt from the operation of this Act any private hospital which, owing to its remoteness, cannot be conducted in conformity with the conditions stipulated herein, and is certified by the nearest resident police officer as being respectably carried on and necessary in the public interests. Such exemption to be revocable by the Minister at any time.

(5) Provided also that institutions licensed under the Lunacy Act of 1898, or the Inebriates Act of 1900, or amendments of these Acts, are exempt from the operation of this Act.

7. (1) Every application for a license shall be addressed to the Board of Health, and shall state the full name, place of abode, and occupation of the applicant. Application for license.

(2) Such application shall, except in the case of renewals, be accompanied by—

- (a) a statement of the maximum number of patients proposed to be received into the private hospital ;
- (b) a plan of any house or building included in such hospital, on a scale not less than eight feet to the inch ;
- (c) a description of the situation thereof ;
- (d) a statement of the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein ;
- (e) a statement of the rooms to be used exclusively by the patients and those to be used exclusively by the nurses and other employees, and by the licensee and his family, or by the manager and his family ;
- (f) a full description of the sanitary arrangements ; and
- (g) a statement as to the number and class of cases intended to be received, whether lying-in cases or surgical and medical cases.

8. (1) No license shall be granted in respect of a private hospital not previously licensed until the house and the buildings annexed thereto have been approved by the Minister, on the recommendation of the Board of Health, and no addition to any private hospital shall be made until the plan thereof has been approved by the Minister as aforesaid. Granting of the license.

(2) Before granting any such license the Minister shall, as aforesaid, satisfy himself as to the character and fitness of the applicant.

(3)

Private Hospitals.

(3) The license shall state whether it is in respect of a lying-in private hospital or a medical and surgical private hospital, and no lying-in patient shall be received in a private hospital unless it is licensed for such cases, and no patient other than a lying-in patient shall be received in a private hospital for lying-in cases only:

Provided that where the Minister is satisfied as aforesaid that the accommodation is suitable, he may specially license a private hospital for both purposes.

9. The license shall continue in force until the thirty-first day of December next after the date thereof, unless it is previously revoked as hereinafter provided, but may be renewed by the granting of a new license.

Management of private hospitals.

10. (1) For every private hospital there shall be a resident manager, who may be either the licensee himself, or some person appointed by the licensee; and in every case the manager shall be either a legally qualified medical practitioner or—

- (a) a hospital nurse, in the case of a surgical and medical hospital;
- (b) a midwifery nurse, in the case of a lying-in hospital; or
- 20 (c) a hospital nurse and midwifery nurse, or a hospital nurse having, as resident assistant, a midwifery nurse in the case of a hospital licensed for other purposes;
- (d) any person approved by the Board of Health.

(2) The full name and qualification of every person intended to be appointed under paragraphs (b) and (c) aforesaid, shall be submitted by the licensee to the Board of Health for approval.

11. (1) When a patient in a private hospital is found or is reasonably suspected to be suffering from any disease which may be proclaimed for the purposes of this Act by the Governor on the recommendation of the Board of Health, the manager shall, within twenty-four hours, give notice thereof to the secretary of the Board of Health, in a form and manner to be prescribed.

(2) If the manager of any private hospital fails to give any such notice or information, he shall be liable to a fine not exceeding fifty pounds.

12. In the case of a death or birth in a private hospital, the manager shall, within twenty-four hours, and before interment in case of a death, report the same to the district registrar of births, deaths, and marriages, giving full particulars of the death or birth according to a form and in manner to be prescribed; and any manager who fails to make such immediate report shall be liable to a penalty not exceeding twenty pounds.

13. (1) In every private hospital there shall be kept, in a form to be prescribed, a register of patients in which shall, from time to time, be entered—

- (a) The name, age, and usual place of abode of every patient, and the date of his reception into the hospital.
- (b)

Private Hospitals.

(b) The name of the medical practitioner (if any) attending him.

(c) The date when he left the hospital, or, in the event of his death, the date thereof; and

(d) Such other particulars as may be prescribed.

5 (2) Such particulars shall be entered on the register by the persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such entry, who knowingly suppresses any material fact, or enters any particulars that are untrue, is liable to a fine not exceeding one
10 hundred pounds.

14. Every private hospital, and every part thereof, together
with the register of patients mentioned in the last preceding clause,
shall at all times be open to inspection by the president of the Board
of Health, or by any person duly authorised by the Board of Health
15 on that behalf.

15. A private hospital shall not, during the currency of its
license, be used for any other purpose than that for which it is licensed.

16. (1) The Minister may, on the recommendation of the
Board of Health, at any time cause an inquiry to be made as to the
20 management of any private hospital by some person to be appointed
by him for that purpose.

(2) The person so appointed shall, for the purpose of such
inquiry, report the result of the inquiry to the Minister.

(3) The Minister may, if he thinks fit, after such inquiry,
25 revoke the license granted in respect of the private hospital, and, in
such cases, no new license shall be granted to the person whose license
is so revoked for a period of four years from the date of such
revocation: Provided that no license shall be revoked unless the
licensee has been afforded opportunity of giving and producing
30 evidence at the inquiry.

17. The fact that two or more persons, not members of the
occupier's family, are received and lodged in any house, building, tent,
or place in any one month, or six persons within one year, as lying-in
cases, or for other medical or surgical treatment, attendance, or care,
35 shall be prima facie evidence that the house, building, tent, or place
is a private hospital within the meaning of this Act, whether or not
it is proved that a charge is made for lying-in or for such treatment,
attendance, or care.

18. The Governor may, on the recommendation of the Board
40 of Health, make regulations for the licensing, management, and
inspection of private hospitals, and generally for carrying this Act into
effect, and may by such regulations impose a fine not exceeding fifty
pounds for any breach thereof. Regulations under this Act shall be
published in the Gazette.

Private Hospitals

(b) The name of the medical profession (if any) attending upon
(c) The date when he left the hospital or in the event of his
death, the date thereof; and
(d) Such other particulars as may be prescribed.

(2) Such particulars shall be entered on the register by the
persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such
entry, who knowingly suppresses any material fact or enters any
particulars that are untrue or false in any material particular
shall be liable to a fine not exceeding one
hundred pounds.

14. Every private hospital and every part thereof together
with the register of patients mentioned in the last preceding clause
shall at all times be open to inspection by the President of the
Board of Health or by any person authorized in writing by the Board of Health.

15. A private hospital shall not during the currency of its
license be used for any other purpose than that for which the
license was granted.

16. (1) The Minister may, on the recommendation of the
Board of Health at any time cause an inquiry to be made by a
person appointed by him for that purpose to inquire into the
management of any private hospital or any part thereof or
any person appointed by him for that purpose of such
inquiry, report the result of the inquiry to the Minister, who
may, if he thinks fit, cause such inquiry to be made.

17. The Minister may, if he thinks fit, cause such inquiry to
be made in respect of the private hospital in which
such case no new license shall be granted to the person whose
license is revoked for a period of four years from the date of such
revocation: provided that no license shall be revoked unless the
licensee has been attended or operated or given and produced
evidence at the inquiry to the effect that he is a competent
practitioner.

18. The fact that two or more persons not members of the
same family, are received and lodged in any house, building, tent
or place in any one month or six months or any other period
or for longer medical or surgical treatment, or for any other
case, shall be prima facie evidence that the house, building, tent or
place is a private hospital within the meaning of this Act, whether or not
it is proved that a charge is made for the use of such premises for
attendance or treatment.

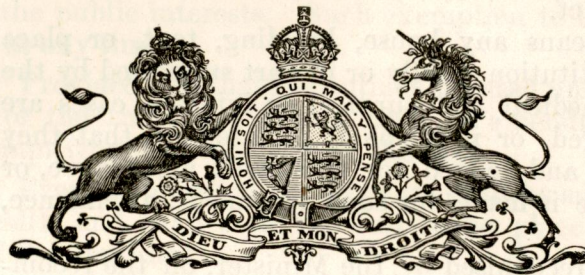
19. The Governor may, on the recommendation of the Board of
Health, make regulations for the better management and control of
private hospitals and for carrying into effect the provisions of
this Act, and may by such regulations impose a fine not exceeding
one hundred pounds for any breach thereof. Regulations made under
this section shall be published in the Gazette.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, September, 1908. }*

Clerk of the Parliaments.

New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

Act No. , 1908.

An Act to provide for the regulation and inspection of private hospitals.

BE it enacted by the King'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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Preliminary.

1. This Act may be cited as the "Private Hospitals Act, 1908." Short title.
2. In this Act, if not inconsistent with the context,— Definitions.
 - "Birth" includes still-birth and miscarriage at any period.
 - "Hospital nurse" means a person who holds a certificate from a recognised medical and surgical hospital showing that such person has attended the practice of such hospital for not less than three years, and has shown proficiency in medical and surgical nursing.

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Private Hospitals.

“Manager” means the resident manager of a private hospital.

“Midwifery nurse” means a woman who holds a certificate from a recognised maternity hospital showing that she has attended the practice of such hospital for not less than one year, and shown proficiency in midwifery, nursing, and obstetrics.

“Minister” means the Minister of the Crown for the time being charged with the administration of this Act.

“Patient” means any person received and lodged in a private hospital.

“Prescribed” means prescribed by this Act, or by regulations made under this Act.

“Private hospital” means any house, building, tent, or place (other than an institution wholly or in part supported by the State) in which medical and surgical or lying-in cases are received and lodged, or in which it is intended that they shall be received and lodged for treatment, attendance, or care, and a charge is made for such treatment, attendance, or care.

“Recognised” means recognised by the Minister, on the recommendation of the Board of Health, for the purposes of this Act.

3. The Board of Health shall cause to be kept a register of hospital nurses and midwifery nurses for the purposes of this Act, and such registers shall contain the prescribed particulars and be kept in the prescribed form. Registers of trained nurses and midwives.

4. Each person whose name is on any such register shall inform the Board of Health of any change in his or her address, and if default is made in complying with this section his or her name may be removed by the board from such register. Registered nurse to inform board of change of her address.

5. The said board may remove from any such register the name of any person who— Removal of names from registers.

- (a) has died, or has for a continuous period of twelve months been absent from New South Wales; or
- (b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within New South Wales, would be a felony or misdemeanour; or
- (c) has knowingly acted as nurse in a private hospital carried on otherwise than under this Act.

Licensing of private hospitals.

6. (1) No private hospital shall be carried on, used, or conducted, except under the authority of a license granted by the Minister on the recommendation of the Board of Health. Private hospital to be licensed.

Private Hospitals.

(2) Every person who commits a breach of this section shall be liable to a fine of not exceeding fifty pounds and not less than ten pounds.

(3) Provided that the Minister may, on the recommendation of the Board of Health, exempt any hospital from the operation of this Act.

(4) Provided also that the Minister may, on the recommendation of the Board of Health, exempt from the operation of this Act any private hospital which, owing to its remoteness, cannot be conducted in conformity with the conditions stipulated herein, and is certified by the nearest resident police officer as being respectably carried on and necessary in the public interests. Such exemption to be revocable by the Minister at any time.

(5) Provided also that institutions licensed under the Lunacy Act of 1898, or the Inebriates Act of 1900, or amendments of these Acts, are exempt from the operation of this Act.

7. (1) Every application for a license shall be addressed to the Board of Health, and shall state the full name, place of abode, and occupation of the applicant. Application for license.

(2) Such application shall, except in the case of renewals, be accompanied by—

- (a) a statement of the maximum number of patients proposed to be received into the private hospital ;
- (b) a plan of any house or building included in such hospital, on a scale not less than eight feet to the inch ;
- (c) a description of the situation thereof ;
- (d) a statement of the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein ;
- (e) a statement of the rooms to be used exclusively by the patients and those to be used exclusively by the nurses and other employees, and by the licensee and his family, or by the manager and his family ;
- (f) a full description of the sanitary arrangements ; and
- (g) a statement as to the number and class of cases intended to be received, whether lying-in cases or surgical and medical cases.

8. (1) No license shall be granted in respect of a private hospital not previously licensed until the house and the buildings annexed thereto have been approved by the Minister, on the recommendation of the Board of Health, and no addition to any private hospital shall be made until the plan thereof has been approved by the Minister as aforesaid. Granting of the license.

(2) Before granting any such license the Minister shall, as aforesaid, satisfy himself as to the character and fitness of the applicant.

(3)

Private Hospitals.

(3) The license shall state whether it is in respect of a lying-in private hospital or a medical and surgical private hospital, and no lying-in patient shall be received in a private hospital unless it is licensed for such cases, and no patient other than a lying-in patient shall be received in a private hospital for lying-in cases only :

Provided that where the Minister is satisfied as aforesaid that the accommodation is suitable, he may specially license a private hospital for both purposes.

9. The license shall continue in force until the thirty-first day of December next after the date thereof, unless it is previously revoked as hereinafter provided, but may be renewed by the granting of a new license.

Management of private hospitals.

10. (1) For every private hospital there shall be a resident manager, who may be either the licensee himself, or some person appointed by the licensee; and in every case the manager shall be either a legally qualified medical practitioner or—

- (a) a hospital nurse, in the case of a surgical and medical hospital ;
- (b) a midwifery nurse, in the case of a lying-in hospital ; or
- (c) a hospital nurse and midwifery nurse, or a hospital nurse having, as resident assistant, a midwifery nurse in the case of a hospital licensed for other purposes ;
- (d) any person approved by the Board of Health.

(2) The full name and qualification of every person intended to be appointed under paragraphs (b) and (c) aforesaid, shall be submitted by the licensee to the Board of Health for approval.

11. (1) When a patient in a private hospital is found or is reasonably suspected to be suffering from any disease which may be proclaimed for the purposes of this Act by the Governor on the recommendation of the Board of Health, the manager shall, within twenty-four hours, give notice thereof to the secretary of the Board of Health, in a form and manner to be prescribed.

(2) If the manager of any private hospital fails to give any such notice or information, he shall be liable to a fine not exceeding fifty pounds.

12. In the case of a death or birth in a private hospital, the manager shall, within twenty-four hours, and before interment in case of a death, report the same to the district registrar of births, deaths, and marriages, giving full particulars of the death or birth according to a form and in manner to be prescribed; and any manager who fails to make such immediate report shall be liable to a penalty not exceeding twenty pounds.

13. (1) In every private hospital there shall be kept, in a form to be prescribed, a register of patients in which shall, from time to time, be entered—

- (a) The name, age, and usual place of abode of every patient, and the date of his reception into the hospital.
- (b)

Private Hospitals.

- (b) The name of the medical practitioner (if any) attending him.
 (c) The date when he left the hospital, or, in the event of his death, the date thereof; and
 (d) Such other particulars as may be prescribed.

5 (2) Such particulars shall be entered on the register by the persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such entry, who knowingly suppresses any material fact, or enters any particulars that are untrue, is liable to a fine not exceeding one
 10 hundred pounds.

14. Every private hospital, and every part thereof, together with the register of patients mentioned in the last preceding clause, shall at all times be open to inspection by the president of the Board of Health, or by any person duly authorised by the Board of Health
 15 on that behalf.

15. A private hospital shall not, during the currency of its license, be used for any other purpose than that for which it is licensed.

16. (1) The Minister may, on the recommendation of the Board of Health, at any time cause an inquiry to be made as to the management of any private hospital by some person to be appointed
 20 by him for that purpose.

(2) The person so appointed shall, for the purpose of such inquiry, report the result of the inquiry to the Minister.

(3) The Minister may, if he thinks fit, after such inquiry, revoke the license granted in respect of the private hospital, and, in such cases, no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation: Provided that no license shall be revoked unless the licensee has been afforded opportunity of giving and producing
 25 evidence at the inquiry.

17. The fact that two or more persons, not members of the occupier's family, are received and lodged in any house, building, tent, or place in any one month, or six persons within one year, as lying-in cases, or for other medical or surgical treatment, attendance, or care,
 35 shall be prima facie evidence that the house, building, tent, or place is a private hospital within the meaning of this Act, whether or not it is proved that a charge is made for lying-in or for such treatment, attendance, or care.

18. The Governor may, on the recommendation of the Board of Health, make regulations for the licensing, management, and inspection of private hospitals, and generally for carrying this Act into effect, and may by such regulations impose a fine not exceeding fifty pounds for any breach thereof. Regulations under this Act shall be published in the Gazette.

Private Hospitals.

10. The name of the hospital shall be entered in the Register of the Society.

11. The date when the hospital was opened shall be entered in the Register.

12. Such other particulars as may be prescribed by the Society shall be entered in the Register.

13. Every person required by regulations to register shall register in accordance with the regulations.

14. Every private hospital, and every part thereof, shall be inspected by the Society.

15. The Board of Health may, at any time cause an inquiry to be made as to the management of any private hospital by some person to be appointed by the Board.

16. The person so appointed shall, in the course of his inquiry, report the results of the inquiry to the Board.

17. The Board may, if it thinks fit, revoke the license of any hospital, and in such cases no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation.

18. If the Board is satisfied that the person whose license has been so revoked has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

19. The Board may, if it thinks fit, suspend the license of any hospital, and in such cases no new license shall be granted to the person whose license is so suspended for a period of four years from the date of such suspension.

20. If the Board is satisfied that the person whose license has been so suspended has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

21. The Board may, if it thinks fit, revoke the license of any hospital, and in such cases no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation.

22. If the Board is satisfied that the person whose license has been so revoked has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

23. The Board may, if it thinks fit, suspend the license of any hospital, and in such cases no new license shall be granted to the person whose license is so suspended for a period of four years from the date of such suspension.

24. If the Board is satisfied that the person whose license has been so suspended has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

25. The Board may, if it thinks fit, revoke the license of any hospital, and in such cases no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation.

26. If the Board is satisfied that the person whose license has been so revoked has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

27. The Board may, if it thinks fit, suspend the license of any hospital, and in such cases no new license shall be granted to the person whose license is so suspended for a period of four years from the date of such suspension.

28. If the Board is satisfied that the person whose license has been so suspended has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

29. The Board may, if it thinks fit, revoke the license of any hospital, and in such cases no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation.

30. If the Board is satisfied that the person whose license has been so revoked has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

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32. If the Board is satisfied that the person whose license has been so suspended has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

33. The Board may, if it thinks fit, revoke the license of any hospital, and in such cases no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation.

34. If the Board is satisfied that the person whose license has been so revoked has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

35. The Board may, if it thinks fit, suspend the license of any hospital, and in such cases no new license shall be granted to the person whose license is so suspended for a period of four years from the date of such suspension.

36. If the Board is satisfied that the person whose license has been so suspended has been afforded opportunities of earning his livelihood, the Board may, at its discretion, grant him a new license.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber,
Sydney, September, 1908. }

Clerk of the Parliaments.

New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

Act No. , 1908.

An Act to provide for the regulation and inspection of private hospitals.

BE it enacted by the King'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

Preliminary.

1. This Act may be cited as the "Private Hospitals Act, 1908." Short title.

2. In this Act, if not inconsistent with the context,— Definitions.

"Birth" includes still-birth and miscarriage at any period.

10 "Hospital nurse" means a person who holds a certificate from a recognised medical and surgical hospital showing that such person has attended the practice of such hospital for not less than three years, and has shown proficiency in medical and surgical nursing.

Private Hospitals.

“Manager” means the resident manager of a private hospital.

“Midwifery nurse” means a woman who holds a certificate from a recognised maternity hospital showing that she has attended the practice of such hospital for not less than one year, and shown proficiency in midwifery, nursing, and obstetrics.

“Minister” means the Minister of the Crown for the time being charged with the administration of this Act.

“Patient” means any person received and lodged in a private hospital.

“Prescribed” means prescribed by this Act, or by regulations made under this Act.

“Private hospital” means any house, building, tent, or place (other than an institution wholly or in part supported by the State) in which medical and surgical or lying-in cases are received and lodged, or in which it is intended that they shall be received and lodged for treatment, attendance, or care, and a charge is made for such treatment, attendance, or care.

“Recognised” means recognised by the Minister, on the recommendation of the Board of Health, for the purposes of this Act.

3. The Board of Health shall cause to be kept a register of hospital nurses and midwifery nurses for the purposes of this Act, and such registers shall contain the prescribed particulars and be kept in the prescribed form.

Registers of trained nurses and midwives.

4. Each person whose name is on any such register shall inform the Board of Health of any change in his or her address, and if default is made in complying with this section his or her name may be removed by the board from such register.

Registered nurse to inform board of change of her address.

5. The said board may remove from any such register the name of any person who—

Removal of names from registers.

(a) has died, or has for a continuous period of twelve months been absent from New South Wales; or

(b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within New South Wales, would be a felony or misdemeanour; or

(c) has knowingly acted as nurse in a private hospital carried on otherwise than under this Act.

Licensing of private hospitals.

6. (1) No private hospital shall be carried on, used, or conducted, except under the authority of a license granted by the Minister on the recommendation of the Board of Health.

Private hospital to be licensed.

(2)

Private Hospitals.

(2) Every person who commits a breach of this section shall be liable to a fine of not exceeding fifty pounds and not less than ten pounds.

(3) Provided that the Minister may, on the recommendation of the Board of Health, exempt any hospital from the operation of this Act.

(4) Provided also that the Minister may, on the recommendation of the Board of Health, exempt from the operation of this Act any private hospital which, owing to its remoteness, cannot be conducted in conformity with the conditions stipulated herein, and is certified by the nearest resident police officer as being respectably carried on and necessary in the public interests. Such exemption to be revocable by the Minister at any time.

(5) Provided also that institutions licensed under the Lunacy Act of 1898, or the Inebriates Act of 1900, or amendments of these Acts, are exempt from the operation of this Act.

7. (1) Every application for a license shall be addressed to the Board of Health, and shall state the full name, place of abode, and occupation of the applicant.

Application for license.

(2) Such application shall, except in the case of renewals, be accompanied by—

- (a) a statement of the maximum number of patients proposed to be received into the private hospital ;
- (b) a plan of any house or building included in such hospital, on a scale not less than eight feet to the inch ;
- (c) a description of the situation thereof ;
- (d) a statement of the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein ;
- (e) a statement of the rooms to be used exclusively by the patients and those to be used exclusively by the nurses and other employees, and by the licensee and his family, or by the manager and his family ;
- (f) a full description of the sanitary arrangements ; and
- (g) a statement as to the number and class of cases intended to be received, whether lying-in cases or surgical and medical cases.

8. (1) No license shall be granted in respect of a private hospital not previously licensed until the house and the buildings annexed thereto have been approved by the Minister, on the recommendation of the Board of Health, and no addition to any private hospital shall be made until the plan thereof has been approved by the Minister as aforesaid.

Granting of the license.

(2) Before granting any such license the Minister shall, as aforesaid, satisfy himself as to the character and fitness of the applicant.

(3)

Private Hospitals.

(3) The license shall state whether it is in respect of a lying-in private hospital or a medical and surgical private hospital, and no lying-in patient shall be received in a private hospital unless it is licensed for such cases, and no patient other than a lying-in patient shall be received in a private hospital for lying-in cases only:

Provided that where the Minister is satisfied as aforesaid that the accommodation is suitable, he may specially license a private hospital for both purposes.

9. The license shall continue in force until the thirty-first day of December next after the date thereof, unless it is previously revoked as hereinafter provided, but may be renewed by the granting of a new license.

Management of private hospitals.

10. (1) For every private hospital there shall be a resident manager, who may be either the licensee himself, or some person appointed by the licensee; and in every case the manager shall be either a legally qualified medical practitioner or—

- (a) a hospital nurse, in the case of a surgical and medical hospital;
- (b) a midwifery nurse, in the case of a lying-in hospital; or
- (c) a hospital nurse and midwifery nurse, or a hospital nurse having, as resident assistant, a midwifery nurse in the case of a hospital licensed for other purposes;
- (d) any person approved by the Board of Health.

(2) The full name and qualification of every person intended to be appointed under paragraphs (b) and (c) aforesaid, shall be submitted by the licensee to the Board of Health for approval.

11. (1) When a patient in a private hospital is found or is reasonably suspected to be suffering from any disease which may be proclaimed for the purposes of this Act by the Governor on the recommendation of the Board of Health, the manager shall, within twenty-four hours, give notice thereof to the secretary of the Board of Health, in a form and manner to be prescribed.

(2) If the manager of any private hospital fails to give any such notice or information, he shall be liable to a fine not exceeding fifty pounds.

12. In the case of a death or birth in a private hospital, the manager shall, within twenty-four hours, and before interment in case of a death, report the same to the district registrar of births, deaths, and marriages, giving full particulars of the death or birth according to a form and in manner to be prescribed; and any manager who fails to make such immediate report shall be liable to a penalty not exceeding twenty pounds.

13. (1) In every private hospital there shall be kept, in a form to be prescribed, a register of patients in which shall, from time to time, be entered—

- (a) The name, age, and usual place of abode of every patient, and the date of his reception into the hospital.
- (b)

Private Hospitals.

- (b) The name of the medical practitioner (if any) attending him.
 (c) The date when he left the hospital, or, in the event of his death, the date thereof; and
 (d) Such other particulars as may be prescribed.

5 (2) Such particulars shall be entered on the register by the persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such entry, who knowingly suppresses any material fact, or enters any particulars that are untrue, is liable to a fine not exceeding one
 10 hundred pounds.

14. Every private hospital, and every part thereof, together with the register of patients mentioned in the last preceding clause, shall at all times be open to inspection by the president of the Board of Health, or by any person duly authorised by the Board of Health
 15 on that behalf.

15. A private hospital shall not, during the currency of its license, be used for any other purpose than that for which it is licensed.

16. (1) The Minister may, on the recommendation of the Board of Health, at any time cause an inquiry to be made as to the
 20 management of any private hospital by some person to be appointed by him for that purpose.

(2) The person so appointed shall, for the purpose of such inquiry, report the result of the inquiry to the Minister.

(3) The Minister may, if he thinks fit, after such inquiry,
 25 revoke the license granted in respect of the private hospital, and, in such cases, no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation: Provided that no license shall be revoked unless the licensee has been afforded opportunity of giving and producing
 30 evidence at the inquiry.

17. The fact that two or more persons, not members of the occupier's family, are received and lodged in any house, building, tent, or place in any one month, or six persons within one year, as lying-in cases, or for other medical or surgical treatment, attendance, or care,
 35 shall be prima facie evidence that the house, building, tent, or place is a private hospital within the meaning of this Act, whether or not it is proved that a charge is made for lying-in or for such treatment, attendance, or care.

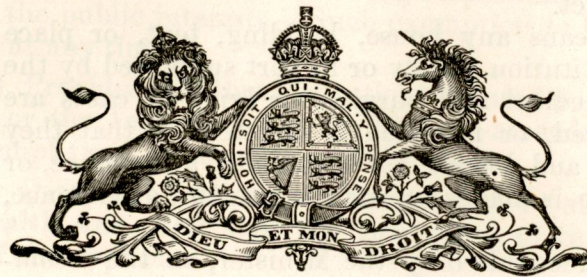
18. The Governor may, on the recommendation of the Board of Health, make regulations for the licensing, management, and inspection of private hospitals, and generally for carrying this Act into effect, and may by such regulations impose a fine not exceeding fifty pounds for any breach thereof. Regulations under this Act shall be published in the Gazette.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, September, 1908.* }

Clerk of the Parliaments.

New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

Act No. , 1908.

An Act to provide for the regulation and inspection of private hospitals.

BE it enacted by the King'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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Preliminary.

1. This Act may be cited as the "Private Hospitals Act, 1908." Short title.
2. In this Act, if not inconsistent with the context,—
"Birth" includes still-birth and miscarriage at any period. Definitions.
"Hospital nurse" means a person who holds a certificate from a recognised medical and surgical hospital showing that such person has attended the practice of such hospital for not less than three years, and has shown proficiency in medical and surgical nursing.

10

Private Hospitals.

“Manager” means the resident manager of a private hospital.

“Midwifery nurse” means a woman who holds a certificate from a recognised maternity hospital showing that she has attended the practice of such hospital for not less than one year, and shown proficiency in midwifery, nursing, and obstetrics.

“Minister” means the Minister of the Crown for the time being charged with the administration of this Act.

“Patient” means any person received and lodged in a private hospital.

“Prescribed” means prescribed by this Act, or by regulations made under this Act.

“Private hospital” means any house, building, tent, or place (other than an institution wholly or in part supported by the State) in which medical and surgical or lying-in cases are received and lodged, or in which it is intended that they shall be received and lodged for treatment, attendance, or care, and a charge is made for such treatment, attendance, or care.

“Recognised” means recognised by the Minister, on the recommendation of the Board of Health, for the purposes of this Act.

3. The Board of Health shall cause to be kept a register of hospital nurses and midwifery nurses for the purposes of this Act, and such registers shall contain the prescribed particulars and be kept in the prescribed form. Registers of trained nurses and midwives.

4. Each person whose name is on any such register shall inform the Board of Health of any change in his or her address, and if default is made in complying with this section his or her name may be removed by the board from such register. Registered nurse to inform board of change of her address.

5. The said board may remove from any such register the name of any person who— Removal of names from registers.

(a) has died, or has for a continuous period of twelve months been absent from New South Wales; or

(b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within New South Wales, would be a felony or misdemeanour; or

(c) has knowingly acted as nurse in a private hospital carried on otherwise than under this Act.

Licensing of private hospitals.

6. (1) No private hospital shall be carried on, used, or conducted, except under the authority of a license granted by the Minister on the recommendation of the Board of Health. Private hospital to be licensed.

(2)

Private Hospitals.

(2) Every person who commits a breach of this section shall be liable to a fine of not exceeding fifty pounds and not less than ten pounds.

(3) Provided that the Minister may, on the recommendation of the Board of Health, exempt any hospital from the operation of this Act.

(4) Provided also that the Minister may, on the recommendation of the Board of Health, exempt from the operation of this Act any private hospital which, owing to its remoteness, cannot be conducted in conformity with the conditions stipulated herein, and is certified by the nearest resident police officer as being respectably carried on and necessary in the public interests. Such exemption to be revocable by the Minister at any time.

(5) Provided also that institutions licensed under the Lunacy Act of 1898, or the Inebriates Act of 1900, or amendments of these Acts, are exempt from the operation of this Act.

7. (1) Every application for a license shall be addressed to the Board of Health, and shall state the full name, place of abode, and occupation of the applicant.

(2) Such application shall, except in the case of renewals, be accompanied by—

- (a) a statement of the maximum number of patients proposed to be received into the private hospital;
- (b) a plan of any house or building included in such hospital, on a scale not less than eight feet to the inch;
- (c) a description of the situation thereof;
- (d) a statement of the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein;
- (e) a statement of the rooms to be used exclusively by the patients and those to be used exclusively by the nurses and other employees, and by the licensee and his family, or by the manager and his family;
- (f) a full description of the sanitary arrangements; and
- (g) a statement as to the number and class of cases intended to be received, whether lying-in cases or surgical and medical cases.

8. (1) No license shall be granted in respect of a private hospital not previously licensed until the house and the buildings annexed thereto have been approved by the Minister, on the recommendation of the Board of Health, and no addition to any private hospital shall be made until the plan thereof has been approved by the Minister as aforesaid.

(2) Before granting any such license the Minister shall, as aforesaid, satisfy himself as to the character and fitness of the applicant.

(3)

Private Hospitals.

(3) The license shall state whether it is in respect of a lying-in private hospital or a medical and surgical private hospital, and no lying-in patient shall be received in a private hospital unless it is licensed for such cases, and no patient other than a lying-in patient shall be received in a private hospital for lying-in cases only:

Provided that where the Minister is satisfied as aforesaid that the accommodation is suitable, he may specially license a private hospital for both purposes.

9. The license shall continue in force until the thirty-first day of December next after the date thereof, unless it is previously revoked as hereinafter provided, but may be renewed by the granting of a new license.

Management of private hospitals.

10. (1) For every private hospital there shall be a resident manager, who may be either the licensee himself, or some person appointed by the licensee; and in every case the manager shall be either a legally qualified medical practitioner or—

- (a) a hospital nurse, in the case of a surgical and medical hospital;
- (b) a midwifery nurse, in the case of a lying-in hospital; or
- (c) a hospital nurse and midwifery nurse, or a hospital nurse having, as resident assistant, a midwifery nurse in the case of a hospital licensed for other purposes;
- (d) any person approved by the Board of Health.

(2) The full name and qualification of every person intended to be appointed under paragraphs (b) and (c) aforesaid, shall be submitted by the licensee to the Board of Health for approval.

11. (1) When a patient in a private hospital is found or is reasonably suspected to be suffering from any disease which may be proclaimed for the purposes of this Act by the Governor on the recommendation of the Board of Health, the manager shall, within twenty-four hours, give notice thereof to the secretary of the Board of Health, in a form and manner to be prescribed.

(2) If the manager of any private hospital fails to give any such notice or information, he shall be liable to a fine not exceeding fifty pounds.

12. In the case of a death or birth in a private hospital, the manager shall, within twenty-four hours, and before interment in case of a death, report the same to the district registrar of births, deaths, and marriages, giving full particulars of the death or birth according to a form and in manner to be prescribed; and any manager who fails to make such immediate report shall be liable to a penalty not exceeding twenty pounds.

13. (1) In every private hospital there shall be kept, in a form to be prescribed, a register of patients in which shall, from time to time, be entered—

- (a) The name, age, and usual place of abode of every patient, and the date of his reception into the hospital.
- (b)

Private Hospitals.

- (b) The name of the medical practitioner (if any) attending him.
 (c) The date when he left the hospital, or, in the event of his death, the date thereof; and
 (d) Such other particulars as may be prescribed.

5 (2) Such particulars shall be entered on the register by the persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such entry, who knowingly suppresses any material fact, or enters any particulars that are untrue, is liable to a fine not exceeding one
 10 hundred pounds.

14. Every private hospital, and every part thereof, together with the register of patients mentioned in the last preceding clause, shall at all times be open to inspection by the president of the Board of Health, or by any person duly authorised by the Board of Health
 15 on that behalf. Inspection of hospital.

15. A private hospital shall not, during the currency of its license, be used for any other purpose than that for which it is licensed. Purpose for which hospital may be used.

16. (1) The Minister may, on the recommendation of the Board of Health, at any time cause an inquiry to be made as to the
 20 management of any private hospital by some person to be appointed by him for that purpose. Inquiry as to management of private hospitals.

(2) The person so appointed shall, for the purpose of such inquiry, report the result of the inquiry to the Minister.

(3) The Minister may, if he thinks fit, after such inquiry,
 25 revoke the license granted in respect of the private hospital, and, in such cases, no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation: Provided that no license shall be revoked unless the licensee has been afforded opportunity of giving and producing
 30 evidence at the inquiry.

17. The fact that two or more persons, not members of the occupier's family, are received and lodged in any house, building, tent, or place in any one month, or six persons within one year, as lying-in cases, or for other medical or surgical treatment, attendance, or care,
 35 shall be prima facie evidence that the house, building, tent, or place is a private hospital within the meaning of this Act, whether or not it is proved that a charge is made for lying-in or for such treatment, attendance, or care. Evidence that house, &c., is a private hospital.

18. The Governor may, on the recommendation of the Board
 40 of Health, make regulations for the licensing, management, and inspection of private hospitals, and generally for carrying this Act into effect, and may by such regulations impose a fine not exceeding fifty pounds for any breach thereof. Regulations under this Act shall be published in the Gazette. Regulations.

Private Hospitals

(b) The name of the medical practitioner (if any) attending the patient
(c) The date when he left the hospital, or, in the case of a patient who
died, the date of death.

(d) Such other particulars as may be prescribed.
(2) Such particulars shall be entered on the register by the
person and in the manner prescribed.

(3) Every person required by regulations to make any such
entry who knowingly suppresses any material fact or enters any
particulars that are untrue is liable to a fine not exceeding one
hundred pounds.

14. Every private hospital and every part thereof, together
with the register of patients maintained in the last preceding clause,
shall at all times be open to inspection by the president of the Board
of Health or by any person duly authorized by the Board of Health
in that behalf.

15. A private hospital shall not during the currency of its
license be used for any other purpose than that for which it is licensed.

16. (1) The Minister may, on the recommendation of the
Board of Health, at any time cause an inquiry to be made as to the
management of any private hospital by some person to be nominated
by him for that purpose.

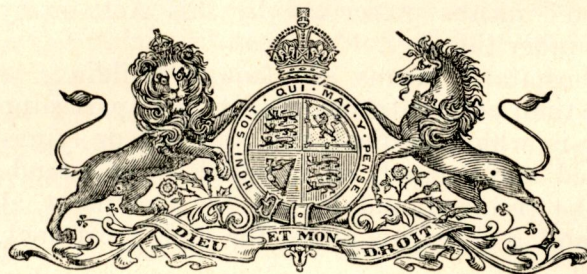
(2) The person so appointed shall, for the purpose of such
inquiry, report the result of the inquiry to the Minister.

(3) The Minister may, if he thinks fit after such inquiry,
revoke the license granted in respect of the private hospital, and in
such case no new license shall be granted to the person whose license
is so revoked for a period of four years from the date of such
revocation: Provided that no license shall be revoked unless the
licensee has been afforded opportunity of being heard and producing
evidence at the inquiry.

17. The fact that two or more persons, not members of the
occupier's family, are received and lodged in any house, building, tent,
or place in any one month, or six persons within any year, or young
cases, or for other medical or surgical treatment, attendance, or care,
shall be prima facie evidence that the house, building, tent, or place
is a private hospital within the meaning of this Act, whether or not
it is proved that a charge is made for lodging or for such treatment,
attendance or care.

18. The Governor may, on the recommendation of the Board of
Health, make regulations for the licensing, management, and
inspection of private hospitals, and generally for carrying into effect the
effect, and may by such regulations impose a fine not exceeding fifty
pounds for any breach thereof. Regulations under this Act shall be
published in the Gazette.

New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

Act No. 14, 1908.

An Act to provide for the regulation and inspection of private hospitals. [Assented to, 14th December, 1908.]

BE it enacted by the King'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 :—

Preliminary.

- 1. This Act may be cited as the "Private Hospitals Act, 1908." Short title.
- 2. In this Act, if not inconsistent with the context,— Definitions.
- "Birth" includes still-birth and miscarriage at any period.
- "Hospital nurse" means a person who holds a certificate from a recognised medical and surgical hospital showing that such person has attended the practice of such hospital for not less than three years, and has shown proficiency in medical and surgical nursing, and has passed an examination approved of by the Board of Health.

A

"Manager"

Private Hospitals.

- “Manager” means the resident manager of a private hospital.
- “Midwifery nurse” means a woman who holds a certificate from a recognised maternity hospital showing that she has attended the practice of such hospital for not less than one year, and shown proficiency in midwifery, nursing, and obstetrics.
- “Minister” means the Minister of the Crown for the time being charged with the administration of this Act.
- “Patient” means any person received and lodged in a private hospital.
- “Prescribed” means prescribed by this Act, or by regulations made under this Act.
- “Private hospital” means any house, building, tent, or place (other than an institution wholly or in part supported by the State) in which medical and surgical or lying-in cases are received and lodged, or in which it is intended that they shall be received and lodged for treatment, attendance, or care, and a charge is made for such treatment, attendance, or care.
- “Recognised” means recognised by the Minister, on the recommendation of the Board of Health, for the purposes of this Act.

Registers of trained nurses and midwives.

3. The Board of Health shall cause to be kept a register of hospital nurses and midwifery nurses for the purposes of this Act, and such registers shall contain the prescribed particulars and be kept in the prescribed form.

Registered nurse to inform board of change of her address.

4. Each person whose name is on any such register shall inform the Board of Health of any change in his or her address, and if default is made in complying with this section his or her name may be removed by the board from such register.

Removal of names from registers.

5. The said board may remove from any such register the name of any person who—

- (a) has died, or has for a continuous period of twelve months been absent from New South Wales; or
- (b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within New South Wales, would be a felony or misdemeanour; or
- (c) has knowingly acted as nurse in a private hospital carried on otherwise than under this Act.

Licensing of private hospitals.

Private hospital to be licensed.

6. (1) No private hospital shall be carried on, used, or conducted, except under the authority of a license granted by the Minister on the recommendation of the Board of Health.

(2)

Private Hospitals.

(2) Every person who commits a breach of this section shall be liable to a fine of not exceeding fifty pounds and not less than ten pounds.

(3) Provided that the Minister may, on the recommendation of the Board of Health, exempt any hospital from the operation of this Act.

(4) Provided also that the Minister may, on the recommendation of the Board of Health, exempt from the operation of this Act any private hospital which, owing to its remoteness, cannot be conducted in conformity with the conditions stipulated herein, and is certified by the nearest resident police officer as being respectably carried on and necessary in the public interests. Such exemption to be revocable by the Minister at any time.

(5) Provided also that institutions licensed under the Lunacy Act of 1898, or the Inebriates Act of 1900, or amendments of these Acts, are exempt from the operation of this Act.

7. (1) Every application for a license shall be addressed to the Board of Health, and shall state the full name, place of abode, and occupation of the applicant. ^{Application for license.}

(2) Such application shall, except in the case of renewals, be accompanied by—

- (a) a statement of the maximum number of patients proposed to be received into the private hospital ;
- (b) a plan of any house or building included in such hospital, on a scale not less than eight feet to the inch ;
- (c) a description of the situation thereof ;
- (d) a statement of the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein ;
- (e) a statement of the rooms to be used exclusively by the patients and those to be used exclusively by the nurses and other employees, and by the licensee and his family, or by the manager and his family ;
- (f) a full description of the sanitary arrangements ; and
- (g) a statement as to the number and class of cases intended to be received, whether lying-in cases or surgical and medical cases.

8. (1) No license shall be granted in respect of a private hospital not previously licensed until the house and the buildings annexed thereto have been approved by the Minister, on the recommendation of the Board of Health, and no addition to any private hospital shall be made until the plan thereof has been approved by the Minister as aforesaid. ^{Granting of the license.}

(2) Before granting any such license the Minister shall, as aforesaid, satisfy himself as to the character and fitness of the applicant.

(3)

Private Hospitals.

(3) The license shall state whether it is in respect of a lying-in private hospital or a medical and surgical private hospital, and no lying-in patient shall be received in a private hospital unless it is licensed for such cases, and no patient other than a lying-in patient shall be received in a private hospital for lying-in cases only :

Provided that where the Minister is satisfied as aforesaid that the accommodation is suitable, he may specially license a private hospital for both purposes.

Period of license.

9. The license shall continue in force until the thirty-first day of December next after the date thereof, unless it is previously revoked as hereinafter provided, but may be renewed by the granting of a new license.

Management of private hospitals.

Manager of hospital

10. (1) For every private hospital there shall be a resident manager, who may be either the licensee himself, or some person appointed by the licensee; and in every case the manager shall be either a legally qualified medical practitioner or—

- (a) a hospital nurse, in the case of a surgical and medical hospital;
- (b) a midwifery nurse, in the case of a lying-in hospital; or
- (c) a hospital nurse and midwifery nurse, or a hospital nurse having, as resident assistant, a midwifery nurse in the case of a hospital licensed for other purposes;
- (d) any person approved by the Board of Health.

(2) The full name and qualification of every person intended to be appointed under paragraphs (b) and (c) aforesaid, shall be submitted by the licensee to the Board of Health for approval.

Notice of certain diseases.

11. (1) When a patient in a private hospital licensed for lying-in purposes is found or is reasonably suspected to be suffering from any disease which may be proclaimed for the purposes of this Act by the Governor on the recommendation of the Board of Health, the manager shall, within twenty-four hours, give notice thereof to the secretary of the Board of Health, in a form and manner to be prescribed.

(2) If the manager of any such private hospital fails to give any such notice or information, he shall be liable to a fine not exceeding fifty pounds.

Notice of death or birth.

12. In the case of a death or birth in a private hospital licensed for lying-in purposes, the manager shall, within twenty-four hours, and before interment in case of a death, report the same to the district registrar of births, deaths, and marriages, giving full particulars of the death or birth according to a form and in manner to be prescribed; and any manager who fails to make such immediate report shall be liable to a penalty not exceeding twenty pounds.

13.

Private Hospitals.

13. (1) In every private hospital there shall be kept, in a form ^{Register to be kept in hospital.} to be prescribed, a register of patients in which shall, from time to time, be entered—

- (a) The name, age, and usual place of abode of every patient, and the date of his reception into the hospital.
- (b) The name of the medical practitioner (if any) attending him.
- (c) The date when he left the hospital, or, in the event of his death, the date thereof; and
- (d) Such other particulars as may be prescribed.

(2) Such particulars shall be entered on the register by the persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such entry, who knowingly suppresses any material fact, or enters any particulars that are untrue, is liable to a fine not exceeding one hundred pounds.

14. Every private hospital, and every part thereof, together ^{Inspection of hospital.} with the register of patients mentioned in the last preceding clause, shall at all times be open to inspection by the president of the Board of Health, or by any person duly authorised by the Board of Health on that behalf.

15. A private hospital shall not, during the currency of its ^{Purpose for which hospital may be used.} license, be used for any other purpose than that for which it is licensed.

16. (1) The Minister may at any time cause an inquiry to be ^{Inquiry as to management of private hospitals.} made as to the management of any private hospital by some person to be appointed by him for that purpose.

(2) The person so appointed shall, for the purpose of such inquiry, report the result of the inquiry to the Minister.

(3) The Minister may, if he thinks fit, after such inquiry, revoke the license granted in respect of the private hospital, and, in such cases, no new license shall be granted to the person whose license is so revoked for a period of four years from the date of such revocation: Provided that no license shall be revoked unless the licensee has been afforded opportunity of giving and producing evidence at the inquiry.

17. The fact that two or more persons, not members of the ^{Evidence that house, &c., is a private hospital.} occupier's family, are received and lodged in any house, building, tent, or place in any one month, or six persons within one year, as lying-in cases, or for other medical or surgical treatment, attendance, or care, shall be prima facie evidence that the house, building, tent, or place is a private hospital within the meaning of this Act, whether or not it is proved that a charge is made for lying-in or for such treatment, attendance, or care.

Private Hospitals.

Regulations.

18. The Governor may, on the recommendation of the Board of Health, make regulations for the licensing, management, and inspection of private hospitals, and generally for carrying this Act into effect, and may by such regulations impose a fine not exceeding fifty pounds for any breach thereof. Regulations under this Act shall be published in the Gazette and shall be laid before both Houses of Parliament within seven days after publication, if Parliament is in session, and if not, then within seven days after the commencement of the next session.

Medicines dispensed
by pharmacists.

19. Any medicines to be dispensed or compounded for use in hospitals as defined under this Act shall be so dispensed or compounded by pharmacists registered under the Pharmacy Board of New South Wales.

[Gd.]

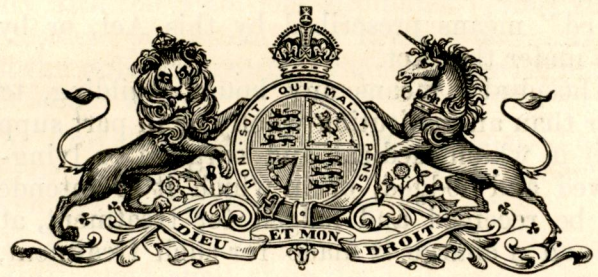
By Authority : WILLIAM APPLIGATE GULLICK, Government Printer, Sydney, 1908.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, was finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 10th December, 1908.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

Act No. 14, 1908.

An Act to provide for the regulation and inspection of private hospitals. [Assented to, 14th December, 1908.]

BE it enacted by the King'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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 - "Hospital nurse" means a person who holds a certificate from a recognised medical and surgical hospital showing that such person has attended the practice of such hospital for not less than three years, and has shown proficiency in medical and surgical nursing, and has passed an examination approved of by the Board of Health.

"Manager"

Private Hospitals.

“Manager” means the resident manager of a private hospital.

“Midwifery nurse” means a woman who holds a certificate from a recognised maternity hospital showing that she has attended the practice of such hospital for not less than one year, and shown proficiency in midwifery, nursing, and obstetrics.

“Minister” means the Minister of the Crown for the time being charged with the administration of this Act.

“Patient” means any person received and lodged in a private hospital.

“Prescribed” means prescribed by this Act, or by regulations made under this Act.

“Private hospital” means any house, building, tent, or place (other than an institution wholly or in part supported by the State) in which medical and surgical or lying-in cases are received and lodged, or in which it is intended that they shall be received and lodged for treatment, attendance, or care, and a charge is made for such treatment, attendance, or care.

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Registered nurse to inform board of change of her address.

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Removal of names from registers.

5. The said board may remove from any such register the name of any person who—

- (a) has died, or has for a continuous period of twelve months been absent from New South Wales; or
- (b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within New South Wales, would be a felony or misdemeanour; or
- (c) has knowingly acted as nurse in a private hospital carried on otherwise than under this Act.

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Private hospital to be licensed.

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(2)

Private Hospitals.

(2) Every person who commits a breach of this section shall be liable to a fine of not exceeding fifty pounds and not less than ten pounds.

(3) Provided that the Minister may, on the recommendation of the Board of Health, exempt any hospital from the operation of this Act.

(4) Provided also that the Minister may, on the recommendation of the Board of Health, exempt from the operation of this Act any private hospital which, owing to its remoteness, cannot be conducted in conformity with the conditions stipulated herein, and is certified by the nearest resident police officer as being respectably carried on and necessary in the public interests. Such exemption to be revocable by the Minister at any time.

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- (b) a plan of any house or building included in such hospital, on a scale not less than eight feet to the inch ;
- (c) a description of the situation thereof ;
- (d) a statement of the length, breadth, and height of, and a reference by a figure or letter to, every room and apartment therein ;
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- (d) any person approved by the Board of Health.

(2) The full name and qualification of every person intended to be appointed under paragraphs (b) and (c) aforesaid, shall be submitted by the licensee to the Board of Health for approval.

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(2) If the manager of any such private hospital fails to give any such notice or information, he shall be liable to a fine not exceeding fifty pounds.

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- (b) The name of the medical practitioner (if any) attending him.
- (c) The date when he left the hospital, or, in the event of his death, the date thereof; and
- (d) Such other particulars as may be prescribed.

(2) Such particulars shall be entered on the register by the persons and at the times and in the manner prescribed.

(3) Every person required by regulations to make any such entry, who knowingly suppresses any material fact, or enters any particulars that are untrue, is liable to a fine not exceeding one hundred pounds.

14. Every private hospital, and every part thereof, together Inspection of hospital. with the register of patients mentioned in the last preceding clause, shall at all times be open to inspection by the president of the Board of Health, or by any person duly authorised by the Board of Health on that behalf.

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16. (1) The Minister may at any time cause an inquiry to be Inquiry as to management of private hospitals. made as to the management of any private hospital by some person to be appointed by him for that purpose.

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Regulations.

18. The Governor may, on the recommendation of the Board of Health, make regulations for the licensing, management, and inspection of private hospitals, and generally for carrying this Act into effect, and may by such regulations impose a fine not exceeding fifty pounds for any breach thereof. Regulations under this Act shall be published in the Gazette and shall be laid before both Houses of Parliament within seven days after publication, if Parliament is in session, and if not, then within seven days after the commencement of the next session.

Medicines dispensed
by pharmacists.

19. Any medicines to be dispensed or compounded for use in hospitals as defined under this Act shall be so dispensed or compounded by pharmacists registered under the Pharmacy Board of New South Wales.

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

*State Government House,
Sydney, 14th December, 1908.*

HARRY H. RAWSON,
Governor.