

Queensland



ANNO UNDECIMO

ELIZABETHAE SECUNDAE REGINAE.

No. 4.

An Act to Amend "The Hospitals Acts, 1936 to 1955," in certain particulars, and for other purposes

[ASSENTED TO 22ND MARCH, 1962.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. (1.) This Act may be cited as "*The Hospitals Acts Amendment Act of 1962.*" Short title.

(2.) "*The Hospitals Acts, 1936 to 1955,*" are in this Act referred to as the Principal Act. Principal Act.

(3.) The Principal Act and this Act may be collectively cited as "*The Hospitals Acts, 1936 to 1962.*" Collective title.

Amendments
of s. 10.

2. Section ten of the Principal Act is amended by—

(a) omitting subparagraph (b) of the first paragraph of subsection (1) and inserting in its stead the following subparagraph :—

“(b) For any person or association of persons or any other body, not being a Board as defined in this Act, or a committee of a hospital or Ambulance Brigade to which Part IV. of this Act applies, or a body or association of persons, corporate or unincorporate, thereunto permitted under subsection (2) of this section, to solicit or accept from the public any moneys by public contribution of any kind for the purposes of treatment of the sick or of Ambulance transport, first-aid or teaching of first-aid ;” ;

(b) inserting after subparagraph (b) of the first paragraph of subsection (1) the following subparagraph :—

“(c) For any body or association of persons, corporate or unincorporate, permitted for the time being under subsection (2) of this section to solicit or accept from the public any moneys by public contribution of any kind for any purpose of the treatment of the sick or of Ambulance transport, first-aid or teaching of first-aid which is not related to the hospital or locality in respect of which the permit was granted, or contrary in any respect to the conditions of the permit :” ;

(c) inserting after subsection (1) the following subsection :—

“(2.) Subject to this subsection the Minister may, in relation to any hospital or locality, permit any body or association of persons, corporate or unincorporate, to raise moneys by public contribution for the purpose of the treatment of the sick, or of Ambulance transport, first-aid, or teaching of first-aid.

Every such permit shall be in writing and shall be revocable by the Minister.

The Minister may subject any such permit to such conditions as he deems fit, including conditions limiting the purpose for which the permittee may raise moneys by public contribution, fixing the maximum amount

or maximum periodical amount which may be so raised, and specifying the manner in which and the times when moneys may be so raised by the permittee.

Neither this subsection nor any permit under this subsection shall authorise, justify or excuse any act or omission which is an offence against—

- (a) “ *The Patriotic Funds Acts, 1942 to 1953* ” ;
- (b) “ *The Charitable Collections Act of 1952* ” ;
- (c) “ *The Art Union Regulation Acts, 1930 to 1956* ” ; or
- (d) Any other Act or enactment whether passed before or after the enactment of this section.” ; and

(d) renumbering subsections (2) and (3) to be respectively subsections (3) and (4).

3. Section thirteen of the Principal Act is amended ^{Amendments of s. 13.} by—

(a) omitting in paragraph (e) of the proviso to subsection (7) the words “ one hundred pounds ” and inserting in their stead the words “ five hundred pounds ” ; and

(b) omitting subsection (10) and inserting in its stead the following subsection :—

“(10.) An election of the representative on every Board of the component Local Authorities shall be held triennially.

Such an election shall be held in the calendar year, one thousand nine hundred and sixty-four, and in every third calendar year thereafter on such day, not later than the last day of June in the calendar year in question, as the returning officer appoints :

Provided that, in respect of any Board, the Governor in Council may in extraordinary circumstances extend the date appointed by the returning officer for any such triennial election.”

4. Subsection (1) of section 18B of the Principal Act is amended by adding the following paragraph :— ^{Amendment of s. 18B (1).}

“(c) For the purposes of this section and of any appeal as provided in the Third Schedule to this Act—

- (i.) any officer employed by The South Brisbane Hospitals Board shall be deemed employed by The North Brisbane Hospitals Board

- at all times during which he shall have been employed by The South Brisbane Hospitals Board ;
- (ii.) any officer employed by The North Brisbane Hospitals Board shall be deemed employed by The South Brisbane Hospitals Board at all times during which he shall have been employed by The North Brisbane Hospitals Board ;
- (iii.) any officer employed full-time in a clerical office by any Board at the date of the passing of "*The Hospitals Acts Amendment Act of 1962,*" whose employment with such Board is then permanent, or is thereafter made permanent, shall be deemed to have been employed permanently and full-time by such Board during his continuous employment full-time in a clerical office or offices by such Board prior to the date of the passing of "*The Hospitals Acts Amendment Act of 1962,*" or, as the case may be, the date when his employment with such Board is made permanent."

Amendments
of s. 21.

5. Section twenty-one of the Principal Act is amended by—

(a) omitting subsection (1) and inserting in its stead the following subsection :—

Funds of
the Board.

"(1.) In the exercise and performance of its functions under this Act, the Board shall establish the following funds, that is to say :—

- (a) A General Fund ;
 (b) A Trust Fund ;
 (c) A Loan Fund ; and
 (d) A Patients' Trust Fund.

The funds shall be separate and distinct, and a separate and distinct bank account shall be kept for each fund.

Moneys shall only be paid out of any such bank account by cheque—

- (a) signed by the secretary and countersigned by the chairman or any two members of the Board authorised by it for the time being to sign cheques ; or

(b) in the case of the bank account kept for the Patients' Trust Fund, signed by the secretary or by a person or persons thereunto authorised by the Minister on the recommendation of the Auditor-General.”;

(b) inserting after subsection (1) the following subsection :—

“(1a.) (a) There shall be established and kept in the Treasury a Trust Fund to be called “ The Hospital Administration Trust Fund ”.

The Hospital
Adminis-
tration Trust
Fund.

(b) There shall be paid to the credit of the Hospital Administration Trust Fund—

- (i.) all grants, contributions, donations, patients' payments and other moneys received by the Board not appertaining to any other Fund ;
- (ii.) all payments of interest to the Board on loan moneys temporarily invested by the Board ;
- (iii.) all other moneys received from any source in respect of hospitals ; and
- (iv.) all moneys contributed by the Government under the provisions of section twenty-three of this Act.

(c) All grants, contributions, donations, patients' payments and other moneys received by the Board not appertaining to any other Fund, and all payments of interest to the Board on moneys (other than moneys in the Trust Fund or in the Patients' Trust Fund) invested by the Board shall be paid by the Board, in the first instance, into a separate account to be called “ The Collections Account ”.

(d) The balance of moneys standing to the credit of the Board in the Collections Account shall be paid by the Board at the end of each and every month, or at such other time or intervals of time as directed by the Minister, to the Treasury for payment to the Hospital Administration Trust Fund.

(e) The Hospital Administration Trust Fund shall be applied for the payment of moneys to the General Fund of any Board for all or any of the purposes for which that General Fund may be applied.

(f) This subsection shall take effect on and after the first day of July, one thousand nine hundred and sixty-two.”;

(c) omitting paragraph (i) of subsection (2) and inserting in its stead the following paragraph :—

“ (i.) The General Fund shall consist of all moneys received from the Hospital Administration Trust Fund.” ;

(d) inserting in paragraph (i) of subsection (3) after the words “ shall consist of ” the words “ contract deposits and ” ;

(e) omitting in paragraph (ii) of subsection (3) the words “ by the testator or donor ” ;

(f) omitting paragraph (iii) of subsection (4) and inserting in its stead the following paragraph :—

“ (iii.) Any balance, or any part thereof, remaining in the Loan Fund to the credit of any loan at its closure shall be applied for the purposes of such other loan or shall be dealt with in such other manner as may be approved in writing by the Treasurer.” ; and

(g) adding the following headnote and subsections :—

“ *Patients' Trust Fund.*

Patients' Trust Fund. (5.) (a) The Patients' Trust Fund shall consist of all moneys received in trust for any patient.

(b) Moneys to the credit of a patient in the Patients' Trust Fund shall be applied for the benefit of or as directed by the patient.

(c) Moneys received by the Board in payment of interest in respect of keeping the Patients' Trust Fund in any savings bank or other interest bearing account or in respect of any investment from such fund, other than any investment specified in subparagraph (i.) of paragraph (b) of subsection (6) of this section, may be applied by the Board for the provision of amenities for patients generally.

Investment of surplus funds.

(6.) (a) Subject to this section, the Board may from time to time invest moneys which are surplus for the time being in any of its funds.

(b) The Board may make any such investment—

(i.) in any securities of or guaranteed by the Government or Treasurer of the Commonwealth or of this State ;

(ii.) on deposit in any bank ; or

(iii.) with any authorised and approved dealer.

(c) For the purposes of this section the expression “authorised and approved dealer” means a person—

- (i.) who is an authorised dealer in the short term money market with established lines of credit with the Reserve Bank of Australia as a lender of last resort; and
- (ii.) who is approved by the Governor in Council by Order in Council published in the *Gazette*.

(d) Any and every security in respect of any investment referred to in this section shall be held by either the Board or to the account of the Board by the Reserve Bank of Australia.

The Board shall obtain and keep a safe custody receipt in respect of any and every such security held to its account by the Reserve Bank of Australia.”

6. Section twenty-two of the Principal Act is ^{Amendments of s. 22.} amended by—

(a) inserting in subsection (6) after the word “budget”, first occurring, the words “for the General Fund”;

(b) inserting in subsection (7) after the word “budget” the words “for the General Fund”; and

(c) omitting subsection (8) and inserting in its stead the following subsection:—

“(8.) If, in any year, the Board makes any disbursement from any fund which is not provided for in the budget relating to such fund for such year—

- (a) except in emergent or extraordinary circumstances; or
- (b) in emergent or extraordinary circumstances, except with the prior approval prescribed by this subsection,

all the members of the Board who have voted for such expenditure shall be jointly and severally liable to repay to the Board the amount thereof, which amount may be recovered in the manner provided in subsection three of section twenty of this Act.

Any such disbursement in extraordinary or emergent circumstances may be approved—

- (a) by the Minister, if it is made from any part of a provision in the budget for the fund in question which remains unexpended; or
- (b) in any other case, by the Governor in Council.”

Repeal of
and new
s. 23.

7. Section twenty-three of the Principal Act is repealed and, in lieu of that repealed section, the following section is inserted :—

Con-
tributions
by the
Government.

“ [23.] When the income of the Hospital Administration Trust Fund from all sources of income (other than income from contributions by the Government under this section) is less than the total expenditure from their General Funds of all Boards constituted under this Act, the amount of the difference between that income and that total expenditure shall be contributed by the Government and shall be paid to the Hospital Administration Trust Fund out of moneys to be appropriated by Parliament.”

Amendments
of s. 24 (7).

8. Subsection (7) of section twenty-four of the Principal Act is amended by—

(a) omitting paragraph (ii) ;

(b) renumbering paragraph (iii) to be paragraph (ii) ;

(c) inserting after paragraph (ii) (as so renumbered by paragraph (b) of this section) the following paragraphs :—

“ (iii.) Every debenture shall specify the place and time where and when the principal and interest are payable.

(iv.) Any debenture may at the option of the lender be issued with or without coupons.

If issued with coupons, the debenture shall have annexed thereto for every payment (whether of principal or interest, or principal and interest) to grow due thereon a coupon.

(v.) Every debenture and every coupon annexed to any debenture shall be transferable by delivery.” ;

(d) omitting paragraph (iv) and inserting in its stead the following paragraphs :—

“ (vi.) In the case of any debenture issued with coupons the holder of any such coupon shall be entitled to receive from the Board payment of the sum specified in the coupon upon presentation thereof, either annexed to or separated from the debenture, at the place where, and on or after the date when, such sum is payable.

(vii.) In the case of any debenture issued without coupons, the lender or, in the event of the transfer of such debenture at any time or from time to time, the transferee for the time being shall, subject to this paragraph, be entitled to receive payments from the Board in respect of principal or interest, or both, in accordance with the terms and conditions of the debenture.

A transferee with respect to whom the Board has not been given notice as prescribed shall not be entitled to receive, and the Board shall not be liable to make to such a transferee, any payment in respect of any debenture issued without coupons (except under attachment by process of law and then only to the extent of moneys due and payable to such transferee under the debenture and unpaid by the Board to the lender or a prior transferee).

The entitlement of a transferee with respect to whom the Board has been given notice as prescribed to receive any payment in respect of a debenture issued without coupons shall be subject to any payment which, having become due and payable under such debenture before the Board was given such notice, was made by it to the lender or a prior transferee.

In this paragraph the expression "notice as prescribed" means a notice in writing signed by the transferor and transferee and verified to the satisfaction of the Board.

(viii.) The power of the Governor in Council to make regulations under this Act shall include power to prescribe by regulation standard forms of debentures.

A lender may agree to accept a standard form of debenture, but no lender shall be bound to do so unless by his agreement." ;

(e) renumbering paragraph (v) to be paragraph (ix.) ;

(f) omitting in subparagraph (b) of paragraph (ix) (as so renumbered by paragraph (e) of this section) the word "precepts," ; and

(g) omitting the second paragraph of subparagraph (b) of paragraph (ix) (as so renumbered by paragraph (e) of this section) being the paragraph commencing with the words "Furthermore, in the case of default".

Amendment
of s. 29.

9. Section twenty-nine of the Principal Act is amended by omitting the final paragraph of subsection (2) thereof, being the paragraph commencing with the words " Provided further, that any committee ".

New s. 31A
inserted.

10. The Principal Act is amended by inserting after section thirty-one the following section :—

Corporation
of the
Executive
Committee
of the
Queensland
Ambulance
Transport
Brigade.

" [31A.] (1.) In this section, unless the context otherwise indicates, the following terms have the meanings set against them respectively, that is to say :—

Ambulance
Brigade.

" Ambulance Brigade "—An Ambulance Brigade, not being an Ambulance Brigade under the control of a Board, to which the provisions of Part IV. of this Act apply ;

Executive
Committee.

" Executive Committee "—The Executive Committee of the Queensland Ambulance Transport Brigade as constituted by this section ;

Queensland
Ambulance
Transport
Brigade.

" Queensland Ambulance Transport Brigade "—The institution known as the Queensland Ambulance Transport Brigade ;

Q.A.T.B.
lands.

" Q.A.T.B. lands " includes all lands and premises, of whatever tenure, which at the date of the passing of "*The Hospitals Acts Amendment Act of 1962*" are, or which at any time after such date may be held in trust, or beneficially owned, or acquired for or on behalf of or by any Ambulance Brigade, together with all rights, easements and appurtenances whatsoever relating thereto, and also includes chattels real, and tenements and interests which are, at such date, held, possessed or occupied or which may at any time after such date be acquired and held, possessed or occupied for or on behalf of or by any Ambulance Brigade under any right, lease, license, authority or tenure peculiar to goldfields or mineral fields, or other tenure under the laws of Queensland relating to mining, including any leasehold, occupation license, authority or other permit or tenure

under the laws of Queensland relating to the occupation, leasing and alienation of Crown land.

(2.) For the purposes of this section there shall be an Executive Committee of the Queensland Ambulance Transport Brigade which shall be a body corporate under that name and style, and by that name shall have perpetual succession and an official seal, and shall be capable in law of taking, holding and dealing with lands in trust as prescribed by this section and, in respect of any such trust, shall subject to this section, be further capable in law of suing and being sued.

Constitution
of Executive
Committee.

(3.) (a) For the purposes of this section the Executive Committee shall be constituted by a member elected triennially by each Ambulance Brigade.

(b) The election of a member shall be certified by the chairman and secretary of the committee of the Ambulance Brigade electing that member.

(c) Each member shall be elected immediately following the triennial election of the committee of the Ambulance Brigade, and shall hold office until the next triennial election of a member of the Executive Committee unless he sooner dies, resigns or is removed by the committee of the Ambulance Brigade.

(d) In the event of the death, resignation or removal of a member, as aforesaid, during his term of office, another member shall as soon as possible be elected by the Ambulance Brigade, which member shall hold office until the next triennial election of a member of the Executive Committee unless he sooner dies, resigns or is removed as aforesaid.

(e) The Executive Committee shall appoint a chairman and other officers as prescribed by the rules as hereinafter provided.

(f) Until the first election held as prescribed in paragraph (c) of this subsection—

(i.) the persons presently constituting the Executive Committee of the Queensland Ambulance Transport Brigade shall be the Executive Committee ;

(ii.) the person presently holding the office of president of, and every person holding any other office presently existing in the Executive

Committee of the Queensland Ambulance Transport Brigade shall be the president of, and shall hold that other office respectively in the Executive Committee,

and all such persons shall be deemed to have been duly elected in accordance with this section and with the rules as hereinafter provided.

(g) (i.) Whenever not less than ninety per centum of the Ambulance Brigades represented on the Executive Committee pass a resolution referring any power, function or authority of an Ambulance Brigade under this Act to the Executive Committee, and the Governor in Council approves of such reference, then, in addition to any powers, functions or authorities given to the Executive Committee by this Act, or by the rules as hereinafter provided, the Executive Committee shall have and may exercise the power, function or authority so referred.

(ii.) Notification of the reference of any such power, function or authority, shall be published in the *Gazette*.

(h) The Governor in Council, upon the recommendation of the Executive Committee, may make rules setting out the powers, functions and authorities of the Executive Committee and governing the proceedings thereof, and providing for all or any purposes whether general or to meet particular cases that may be convenient for the administration of the Executive Committee or that may be necessary or expedient to carry out the objects and purposes of this section :

Provided that, unless and until the Governor in Council makes rules as aforesaid, the rules set out in the Fourth Schedule to this Act shall be the rules of the Executive Committee.

(4.) All courts, judges, justices and persons acting judicially shall take judicial notice of the seal of the Executive Committee affixed to any instrument, document or other writing, and shall presume that it was duly affixed.

(5.) So far as persons dealing with the Executive Committee are concerned, the Executive Committee shall be deemed to have the same powers of sale, lease, mortgage or disposition over any Q.A.T.B. lands as if

it were the absolute owner thereof, and it shall not be incumbent upon any person to inquire whether any proposed dealing constitutes a breach of trust or of any provision of this section, nor shall any person be concerned to see to the application of any purchase, mortgage or other moneys paid to the Executive Committee.

Nothing in this subsection shall authorise, justify or excuse any breach of trust or of any provision of this Act by the Executive Committee.

(6.) The Executive Committee shall be the trustee of all Q.A.T.B. lands.

A person other than the Executive Committee shall not act in the office of trustee of any Q.A.T.B. lands.

(7.) Upon the passing of "*The Hospitals Act Amendment Act of 1962*," all Q.A.T.B. lands then vested in trustees upon trust for any Ambulance Brigade shall, by virtue of this section and without any conveyance or transfer whatsoever, but subject to and without prejudice to any mortgage, charge, encumbrance, lien, lease, agreement or other transaction affecting the same, be divested from such trustees and become and be vested in the Executive Committee upon the trusts and for the purposes upon and for which such lands were vested in the trustees concerned.

(8.) Any lands acquired or the acquisition of which is completed (whether such acquisition is by gift, purchase, devise, bequest or otherwise) by any Ambulance Brigade after the date of the passing of "*The Hospitals Acts Amendment Act of 1962*," shall be vested as prescribed by this subsection in the Executive Committee upon the trusts and for the purposes for which the Ambulance Brigade in question acquired such lands.

For vesting any lands as prescribed by this subsection, the person legally liable to assure to the Ambulance Brigade, or to any person upon trust for the Ambulance Brigade, in question, the legal estate in such lands shall execute, do and take all such conveyances, transfers, other documents, things and steps as are necessary to vest in the Executive Committee such estate.

(9.) Subject to this section the Executive Committee may from time to time—

- (a) sell for the estate therein vested in it completely freed and discharged from the trusts upon which the same are held by it, any Q.A.T.B. lands ;
- (b) mortgage any such lands ; or
- (c) lease or let any such lands or any building or any part of any building erected upon any such lands.

(10.) (a) The Executive Committee shall not sell or mortgage or lease or let, or agree to sell or mortgage or lease or let, Q.A.T.B. lands or any building or any part of any building erected on any such lands—

- (i.) without the consent of the committee of the Ambulance Brigade for which it holds such lands upon trust ; or
- (ii.) where such committee consents subject to any term or condition, contrary in any respect to such term or condition.

(b) A committee of an Ambulance Brigade may, and is hereby empowered to, subject any consent under this subsection to such terms and conditions as it deems fit including, but without limit to the generality of such power, terms and conditions providing for, determining, directing, requiring or ensuring—

- (i.) in relation to any sale, cash or terms, reserve price, offer at public auction before private sale, if terms, such terms including the deposit and security for the unpaid amount of the purchasing price, and interest upon the unpaid amount of the purchasing price ;
- (ii.) in relation to any mortgage, the amount or maximum amount of the money to be raised by the mortgage, and the duration thereof ;
- (iii.) in relation to any lease, agreement to lease, or letting, the amount and manner of payment of rental, premium or consideration additional to rental, and term of tenancy.

(c) A committee of an Ambulance Brigade may, at any time before any transaction referred to in this subsection has been effected, revoke any consent given by it to such transaction, or subject its consent to such

transaction to any term or condition it deems fit, or revoke, alter, add to or otherwise modify any terms or conditions to which it has already subjected such consent.

(11.) Any mortgage referred to in this section may contain a power of sale by the mortgagee, his executors, administrators or assigns in case of default in payment of any principal or interest moneys secured by such mortgage, or of breach of any of the conditions therein contained.

In the due exercise of such power the mortgagee may, and is hereby empowered to, sell the land comprised in such mortgage for the estate therein held upon trust by the Executive Committee absolutely freed and discharged from such trust.

(12.) The receipt in writing of the Executive Committee for any moneys paid or advanced to it in respect of any sale, mortgage, lease or letting or agreement referred to in this section shall be a good and sufficient discharge for such moneys to the person paying or advancing the same, and such person shall not be required to see to the application or be affected by the mis-application or non-application thereof. Exoneration of party to transaction.

(13.) Nothing in this section shall authorise or be deemed to authorise the Executive Committee or any committee of an Ambulance Brigade to exercise any power or authority conferred by this section or the rules under this section contrary to an express provision of the trust upon which any land is vested in the Executive Committee.

(14.) Any deed of grant whereby any Crown land is granted in trust to any Ambulance Brigade issued after the passing of "*The Hospitals Acts Amendment Act of 1962*," shall issue in the name of the Executive Committee as trustee for such Ambulance Brigade.

(15.) Any Crown land which, pursuant to "*The Land Acts, 1910 to 1961*," is reserved or set apart for an Ambulance Brigade, or any purpose of an Ambulance Brigade, shall, if it is placed under the control of trustees, be placed under the control of the Executive Committee as trustee.

Any Crown land reserved or set apart as mentioned in this subsection before the date of the passing of "*The Hospitals Acts Amendment Act of 1962*," which, at such date is under the control of trustees, shall as from such date cease to be under the control of such trustees and shall, without any Order in Council or other act of authority, be deemed to be placed under the control of the Executive Committee as trustee as from such date.

(16.) The Registrar of Titles in the case of any Q.A.T.B. lands to which "*The Real Property Acts, 1861 to 1959*," apply, and, in the case of any such lands to which those Acts do not apply, the person or authority charged with registering instruments of title to such lands shall, by virtue of this section, have power and authority to make, and shall cause to be made, any necessary entries or endorsements in the appropriate register book or other record of titles concerned, and do and execute all such other acts, matters and things as may be necessary and proper to give full effect to the objects and purposes of this section.

With respect to any Crown land mentioned in subsection fifteen of this section, the Land Administration Commission may cause to be made such entries and notings in the appropriate records of the Department of Public Lands as it deems necessary or desirable."

Amendment
of s. 32.

11. Section thirty-two of the Principal Act is amended by inserting after subsection (3) the following subsections :—

"(4.) It shall be unlawful for any person or body or association of persons, corporate or unincorporate, other than an Ambulance Brigade under the control of a Board, or an Ambulance Brigade established by the Governor in Council under the provisions of this section, to carry on any operations relating to Ambulance transport, first-aid, or teaching of first-aid :

Provided that this subsection shall not apply to any operations of the St. John Ambulance Association and the St. John Ambulance Brigade in Australia other than—

- (a) Ambulance transport ;
- (b) the opening or carrying on of first-aid stations ;

- (c) the supplying other than in respect of a sporting event for admission whereto a charge is made, of a first-aid service for any fee, remuneration or reward ;
- (d) the supplying, in respect of any sporting event for admission whereto a charge is made, of a first-aid service without the consent of an Ambulance Brigade mentioned in this section or the approval of the Minister :

Provided further that this subsection shall not apply in respect of the supplying of any first-aid services, without fee, remuneration or reward, by an employer to his employees or to any other person lawfully about his premises.

Any Ambulance Brigade mentioned in this subsection may consent to the supplying by St. John Ambulance Brigade in Australia of a first-aid service in respect of any sporting event for admission whereto a charge is made within the locality within which such Ambulance Brigade operates.

If upon application by St. John Ambulance Brigade in Australia an Ambulance Brigade refuses to so consent, St. John Ambulance Brigade in Australia may appeal to the Minister who, if he is of opinion that consent has been unreasonably refused, may approve of St. John Ambulance Brigade in Australia supplying the first-aid service.

Any consent or approval under this subsection may be subjected to such terms and conditions as the Minister deems fit, and unless the service concerned is supplied in compliance in every respect with any such term or condition, it shall be deemed to be supplied without such consent or approval, as the case may be.

For the purposes of this section the expression "first-aid station" means any place established on a permanent basis for the supply of a first-aid service.

(5.) Any person committing a breach of the provisions of this section shall, in the case of a person, be liable to a penalty not exceeding fifty pounds, or in the case of a body corporate to a penalty not exceeding one hundred pounds."

12. Section thirty-six of the Principal Act is amended by inserting before the words "by-law made pursuant to this Act" the words "regulation or". Amendment
of s. 36.

Amendments
of First
Schedule.

13. The First Schedule to the Principal Act is amended by—

(a) in rule seven—

(i) inserting after the words “ Local Authority comprised in the Group ” the words “, and shall consent to such nomination ” ;

(ii) omitting the form appearing in that rule and inserting in its stead the following form :—

“ *Nomination Paper.*

The [*Name of District*] Hospitals Board.

To the Returning Officer,

SIR,—I hereby nominate [*name in full*] of [*address and occupation*] to be a candidate for election as a member of the abovementioned Board at the ensuing election for the group of Local Authorities of one of which I am a member.

Dated at _____, the _____ day of _____, 19 ____.

[*Signature*]

Local Authority of _____.

I [*name in full*] hereby consent to this nomination.

[*Signature of person nominated*].” ;

(b) adding to rule seven the following paragraphs :—

“ If any candidate desires to retire from his candidature he may, not later than seventy-two hours after the hour of noon on nomination day, deliver to the returning officer a notice, signed by him, that he retires from being a candidate for election at the election in question.

The returning officer, on receipt of such notice, shall omit the name of the retired candidate from the ballot-papers to be used at the election or, if any such papers have been printed, shall erase his name therefrom.

A candidate so retiring shall not be capable of being elected at the election in question and, if the number of candidates is by his retirement reduced to the number to be elected, then rule eight of these rules shall apply.

The returning officer shall make known as widely as possible, by advertisement or otherwise, the fact of the retirement of any candidate.” ; and

(c) omitting rules nine, ten, eleven, twelve and thirteen and inserting in their stead the following rules :—

“ 9. If the number of persons who are duly nominated as candidates exceeds the number to be elected, then for deciding between such candidates a poll shall be taken in manner herein provided :—

(a) The returning officer shall forthwith, after the day of nomination, transmit by post to every person entitled to vote at the election a ballot-paper, which shall contain the names in full, in alphabetical order, of all the candidates for election as members, and shall be initialled by the returning officer.

The ballot-paper shall be so prepared that the voter may effectually conceal the name of the person or persons for whom he has voted.

The ballot-papers for the election of members shall be in the following form respectively, or to the like effect, that is to say:—

A	Gummed edge.	B
Gummed edge. Perforation.	Perforation. How to Vote. Mark your vote by placing the figure 1 in the square opposite the name of the candidate for whom you vote. Gum the top and sides of the paper down so that the letters AA and BB in the corners meet, and AFTER DOING SO get your signature witnessed by some other person entitled to vote at the election, an elector under "The Elections Acts, 1915 to 1959," a Justice of the Peace, or the Returning Officer. Then place the paper in the accompanying envelope, which is addressed to the Returning Officer, and endorsed "Ballot-paper"; close up the envelope and post it at the Post Office. A.B. [initials of Returning Officer.]	Perforation. Gummed edge.
Fold the paper here.		
<input type="checkbox"/> BROWN, John <input type="checkbox"/> GREEN, Charles <input type="checkbox"/> SMITH, Alfred <input type="checkbox"/> WILLIAMS, George		
A	Perforation.	B
Perforation.		
The (Name of District) Hospitals Board. I* of am a member of a group of Local Authorities namely (set out the Local Authorities) and am entitled to vote at the election of a member of the Board, which is to take place at† and closes on the day of 19 . I have not already voted at this election. I make this solemn declaration conscientiously believing the same to be true, and subject to the penalties contained in "The Hospitals Acts, 1936 to 1962." Witness Voter. Person entitled to vote at this election, OR elector under "The Elections Acts, 1915 to 1959," OR Justice of the Peace OR Returning Officer.		
*Christian name and surname in full. † State place of nomination. NOTE.—This ballot-paper must be posted to the returning officer at so as to reach him before five o'clock in the afternoon of the day of , 19 .		

(b) Before posting the ballot-papers the returning officer shall cause the form of declaration on each ballot-paper to be filled in with—

- (i) the name of the Hospitals Board ;
- (ii) the christian name and surname in full, when known, of the voter ;

- (iii) the group of local authorities of which the voter is a member ;
- (iv) the place of nomination ; and
- (v) the date on which the poll will close.

(c) After posting the ballot-papers, the returning officer shall provide at the place of election a locked ballot-box with a cleft or opening therein capable of receiving the ballot-papers, and shall himself retain the key thereof.

(d) The voter shall, upon the receipt of the ballot-paper, record his vote by placing the figure 1 in the square opposite the name of the candidate for whom he votes, and fold up and gum together the parts thereof as indicated thereon, and shall sign that paper in the presence of some other person entitled to vote at the election, or an elector under and within the meaning of "*The Elections Acts, 1915 to 1959,*" or a justice of the peace, or the returning officer. He shall then place the ballot-paper in an envelope addressed to the returning officer at the place of election, and endorsed "Ballot-paper, The Hospitals Board", and shall close the envelope and transmit the same by post so as to reach the returning officer at the place of election before five o'clock in the afternoon of the day on which the poll closes.

(e) At five o'clock in the afternoon on the day appointed for closing the poll, the returning officer shall attend at the place of election and shall, then and there examine and count the number of votes received for each candidate observing with respect to each ballot-paper the following directions :—He shall examine the declaration and attestation attached to the ballot-paper, and if he is satisfied that they are regular he shall then separate the declaration and attestation from the other part of the ballot-paper, and deposit such declaration and attestation in a receptacle provided for the purpose, and also forthwith deposit the other part in a locked ballot-box. If he is not satisfied that the declaration and attestation are regular, he shall reject the ballot-paper without separating it into parts. When all the ballot-papers have been dealt with in manner aforesaid he shall open such ballot-box, and shall open out the parts of the ballot-papers deposited therein by tearing off the perforated gummed edges, and then proceed to examine and count the number of votes received for each candidate.

(f) The returning officer shall forthwith declare the candidate who has received the greatest number of votes to be elected, and he shall be elected accordingly.

(g) (1) At the examination of the ballot-papers every ballot-paper which—

- (i) does not bear the initials of the returning officer ; or
 - (ii) is not signed by the voter and attested in the manner prescribed by this Act ; or
 - (iii) is manifestly irregular ; or
 - (iv) is signed by any person other than a qualified voter ; or
 - (v) has no vote indicated on it ; or
 - (vi) is so imperfectly executed that the intention of the voter cannot with certainty be ascertained,
- shall be rejected.

(2) Provided that no ballot-paper shall be rejected merely because of some informality, or alleged informality, in the manner in which it has been dealt with by the voter if it is regular in other respects, and if, in the opinion of the returning officer, the intention of the voter in voting is clearly apparent :

Provided further, that any ballot-paper which has more consecutive figures commencing with the figure 1 in the squares than the number of members required to be elected shall not be rejected for that reason alone, and where there is only one member to be elected, any ballot-paper which has a cross in the square opposite the name of one candidate only and has no figure 1 in any square shall not be rejected for that reason alone.

10. At the election every person whose name is included in the roll of persons entitled to vote at the election shall be entitled to one vote only.

11. The returning officer, as soon as possible after he has examined and counted all the ballot-papers and ascertained the gross number of votes received by each candidate, shall report to the Board the name of each person elected.

12. (1) In the event of the number of votes for any two or more candidates being found to be equal, the returning officer shall decide by his casting vote which shall be elected.

(2) No returning officer shall vote at any election except in the case of an equality of votes.

13. The Board shall repay to the returning officer all expenses reasonably incurred by him in connection with the election."

14. The Second Schedule to the Principal Act is amended by— Amendments
of Second
Schedule.

(a) omitting from the first paragraph of rule two the words "some newspaper" and inserting in their stead the words "a newspaper circulating in the locality concerned" ; Rule 2.

(b) in subrule (1) of rule four— Rule 4 (1).

(i) omitting the words "Board or hospital concerned" and inserting in their stead the words "hospital concerned, and shall consent to such nomination," ;

(ii) omitting the form appearing in that subrule and inserting in its stead the following form :—

“ “ *The Hospitals Acts, 1936 to 1962.* ”

We, the undersigned contributors of the Hospital hereby nominate [*state christian name and surname in full*] for the office of Member of the Hospital Committee of the said Hospital.

Dated this day of , 19 .
[*Here are to follow the signatures of the Nominators*]

I [*christian name and surname in full*] hereby consent to this nomination.

[*Signature of person nominated.*].”

New Rule
4 (3).

(c) adding to rule four the following subrule :—

“ (3.) (a) If any candidate desires to retire from his candidature he may, not later than seventy-two hours after the hour of noon on nomination day, deliver to the returning officer a notice, signed by him, that he retires from being a candidate for election at the election in question.

(b) The returning officer, on the receipt of such notice, shall omit the name of the retired candidate from the ballot-papers to be used at the election or, if any such papers have been printed, shall erase his name therefrom.

(c) A candidate so retiring shall not be capable of being elected at the election in question and, if the number of candidates is by his retirement reduced to the number to be elected, then rule six of these rules shall apply.

(d) The returning officer shall make known as publicly as possible, by advertisement or otherwise, the fact of the retirement of any candidate.”;

Rule 6.

(d) omitting from rule six the words “ some newspaper ” and inserting in their stead the words “ a newspaper circulating in the locality concerned ” ;

Rule 7 (2).

(e) omitting from paragraph (b) of subrule (2) of rule seven the words “ some newspaper ” and inserting in their stead the words “ a newspaper circulating in the locality concerned ” ;

Rule 9 (1).

(f) omitting from subrule (1) of rule nine the words “ some newspaper ” and inserting in their stead the words “ a newspaper circulating in the locality concerned ” ;

Rule 11.

(g) adding in rule eleven to the certificate on the form of ballot-paper, after the words “ Voter of the same Hospital,” the words “ OR elector under “ *The Elections Acts, 1915 to 1959* ” ;” ; and

Rule 16 (1).

(h) inserting in subrule (1) of rule sixteen, before the words “ or a justice ” the words “ or an elector under and within the meaning of “ *The Elections Acts, 1915 to 1959* ” ” .

15. The following Schedule is added to the Principal Act, namely :—

Schedule 4
added.

“FOURTH SCHEDULE.

1. The Executive Committee shall meet quarterly for the transaction of business or as often as may be found necessary from time to time. The President shall have power to call a special meeting of the Executive Committee at any time he deems necessary. Not less than seven days' notice in writing shall be given of meetings of the Executive Committee.

2. The annual meeting of the Executive Committee shall be held on the second Tuesday in the month of August in each year at such hour as may be agreed upon. The business of such meeting shall be consideration of the annual report, the election of officers, the appointment of representatives to the Promotion Board, the appointment of a Council of the Executive and such other business as may be brought forward by the president or the Council. Not less than fourteen days' notice of the annual meeting of the Executive Committee shall be given in writing to all members of such committee.

3. At the annual meeting the Executive Committee shall elect a patron, a president, a deputy president, two vice-presidents, and an honorary treasurer, who shall hold office until the next annual meeting of the Executive Committee. With the exception of the patron, such office bearers shall be elected out of the members of the Executive Committee. Any vacancy occurring in the office of president, deputy president, vice-president or honorary treasurer may be filled by the Executive Committee at its next following meeting by the election of another member to such office and such member shall hold office until the next annual meeting.

4. At the annual meeting the Executive Committee shall appoint five representatives to the Promotion Board as constituted by the Ambulance Superintendents' Award—State. Such appointees shall hold office until the next annual meeting. Any vacancy occurring in the office of member of the Promotion Board shall be filled by the Executive Committee in the same manner as prescribed by clause three of these rules.

5. At the annual meeting the Executive Committee shall appoint a Council of the Executive the function of which shall be to attend to urgent business which may arise between the quarterly or other periodical meetings of the Executive Committee. Such Council shall consist of the president, the deputy president, the vice-presidents, the treasurer, all of whom shall hold office *ex officio*, and four other members of the Executive Committee. Such members shall hold office until the next annual meeting of the Executive Committee. Any vacancy occurring in the office of Council member may be filled in the same manner as prescribed by clause three of these rules.

6. At a meeting of the Executive Committee all the members present including the president shall have one vote. In the event of an equality of voting the president, in addition to his ordinary vote, shall have a second or casting vote. Unless otherwise prescribed all matters decided at a meeting of the Executive Committee shall be by majority vote.

7. No business shall be transacted at any meeting of the Executive Committee unless and until not less than twenty-five per centum of the total number of members of the Executive Committee are present at such meeting. In the event of an insufficient number of members attending the meeting may be adjourned by the president or, if he does not attend the members attending to a date to be fixed by him or by a majority of them.

8. At all meetings of the Executive Committee the president shall act as chairman. In his absence the deputy president shall act as chairman of the meeting and in the absence of both of them one of the vice-presidents shall be elected to act as chairman.

9. The president shall be the chief executive officer of the Executive Committee and shall give effect to all decisions and resolutions of the Executive Committee.

10. The honorary treasurer shall be responsible for the proper administration of the funds of the Executive Committee and shall report regularly to the Executive Committee on the position of the committee's finances.

11. The Executive Committee may appoint a general secretary and such other officers as may be deemed necessary for the carrying out of the business of the Executive Committee.

12. The general secretary shall attend all meetings of the Executive Committee and shall act as secretary to the Executive Committee and to the Council of the Executive and to the Promotion Board. He shall carry out all instructions of the president and the Executive Committee and, in respect of financial matters, shall report regularly to the treasurer.

He shall be responsible for the proper administration of the affairs of the Executive Committee and for the control and direction of the staff employed by the Executive Committee.

He shall keep proper books of account of all moneys coming into his possession on behalf of the Executive Committee and shall present to the Executive Committee, through the honorary treasurer, such statements as may be required from time to time.

13. The Executive Committee may convene conferences of representatives of Ambulance Brigades triennially or at such other times as it may deem desirable and may determine the venue and the date of the holding of any such conference. Such a conference shall be known as The Queensland Ambulance Transport Brigade State Conference.

The Executive Committee may lay down the rules of procedure for the conduct of such conferences and may from time to time revoke, amend, alter or add to such rules or substitute new rules therefor.

14. The Executive Committee may determine and define zones for ambulance purposes and may arrange for the holding of zonal conferences if and as required.

15. The Executive Committee may at any time require the Ambulance Brigades to consider any question relating to the reference to the Executive Committee of any power, function or authority of an Ambulance Brigade.

On receipt of such requisition by an Ambulance Brigade a special meeting of the committee of the Ambulance Brigade shall be called to consider the requisition, and not less than fourteen days' notice shall be given of such meeting and of the matter of such requisition.

The committee of the Ambulance Brigade shall consider the matter of such requisition and shall notify the Executive Committee of any resolution passed in relation thereto, in writing, under the signatures of the chairman and secretary of the committee."
