



ANNO VICESIMO SEPTIMO

**ELIZABETHAE II REGINAE**

A.D. 1978

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**No. 48 of 1978**

**An Act to amend the South Australian Health Commission Act, 1975-1977.**

*[Assented to 13th April, 1978]*

**BE IT ENACTED** by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "South Australian Health Commission Act Amendment Act, 1978".

(2) The South Australian Health Commission Act, 1975-1977, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "South Australian Health Commission Act, 1975-1978".

Amendment of  
principal Act,  
s. 4—  
Arrangement  
of Act.

2. Section 4 of the principal Act is amended by inserting after the item—

Division IV—Accounts, Reports, etc.

the item—

Division V—Health Centre Fees.

Amendment of  
principal Act,  
s. 21—  
Officers and  
employees.

3. Section 21 of the principal Act is amended—

(a) by inserting in subsection (1) after the passage "Superannuation Act, 1974-1976" the passage ", and —";

and

(b) by inserting in paragraph (b) of subsection (1) after the passage "of the Commission may" the passage ", subject to that Act,".

4. The following section is enacted and inserted in Division I of Part III of the principal Act after section 29 thereof:—

Enactment of  
s. 29a of  
principal Act—

29a. (1) A member of the board of management of an incorporated hospital who is in any way directly or indirectly interested in a contract made by, or a proposed contract in the contemplation of, the hospital, shall disclose the nature of his interest at a meeting of the board, and the disclosure shall be recorded in the minutes of the board.

Disclosure of  
interests.

(2) A member of the board of management of an incorporated hospital who is in any way directly or indirectly interested in a contract made by, or a proposed contract in the contemplation of, the hospital, shall not take part in any decision of the board with respect to that contract.

Penalty: One thousand dollars.

5. Section 30 of the principal Act is amended by inserting after subsection (4) the following subsection:—

Amendment of  
principal Act,  
s. 30—  
Officers and  
employees.

(4a) Upon incorporation of the Queen Elizabeth Hospital or the Flinders Medical Centre under this Part, any employees of the Institute of Medical and Veterinary Science who have, before the date of incorporation, been assigned by the council of the Institute to work in the hospital and have been designated by that council as employees to whom this subsection applies, shall, upon the incorporation of the hospital in which they work, become employees of that hospital on terms and conditions fixed by the Commission and approved by the Public Service Board (but without reduction of salary or status).

6. Section 31 of the principal Act is amended by inserting in paragraph (b) of subsection (1) after the passage "of the hospital may" the passage ", subject to that Act,".

Amendment of  
principal Act,  
s. 31—  
Superannuation,  
accrued leave  
rights, etc.

7. The following section is enacted and inserted in Division I of Part IV of the principal Act after section 50 thereof:—

Enactment of  
s. 50a of  
principal Act—

50a. (1) A member of the management committee of an incorporated health centre who is in any way directly or indirectly interested in a contract made by, or a proposed contract in the contemplation of, the health centre, shall disclose the nature of his interest at a meeting of the management committee, and the disclosure shall be recorded in the minutes of the management committee.

Disclosure of  
interest.

(2) A member of the management committee of an incorporated health centre who is in any way directly or indirectly interested in a contract made by, or a proposed contract in the contemplation of, the health centre, shall not take part in any decision of the management committee with respect to that contract.

Penalty: One thousand dollars.

8. Section 52 of the principal Act is amended by inserting in paragraph (b) of subsection (1) after the passage "of the health centre may" the passage ", subject to that Act,".

Amendment of  
principal Act,  
s. 52—  
Officers and  
employees.

Enactment of  
heading and  
s. 57a of  
principal Act—

9. The following heading and section are enacted and inserted in Part IV of the principal Act after section 57 thereof:—

DIVISION V—HEALTH CENTRE FEES

Fixing of fees.

57a. (1) The Governor may, by regulation made upon the recommendation of the Commission, regulate the fees to be charged by any incorporated health centre in respect of any service provided by it.

(2) Fees payable to an incorporated health centre (whether regulated under this section or not) for a service provided by it may be recovered from—

(a) the person to whom the service was provided;

(b) the spouse of that person;

or

(c) if the service was provided to a person under the age of eighteen years, the parent or parents of that person.

(3) Where fees are recovered from a person under this section, he may recover as a debt from any other person who is jointly liable for the payment of the fees a contribution fixed by the court in which proceedings for recovery of the contribution are taken.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

K. SEAMAN, Governor