

## HOSPITAL BENEFITS.

### No. 75 of 1951.

#### An Act relating to the Provision of Hospital Benefits.

[Assented to 11th December, 1951.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Hospital Benefits Act* 1951. Citation.
  
2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.
  
- 3.—(1.) The *Hospital Benefits Act* 1945, the *Hospital Benefits Act* 1947 and the *Hospital Benefits Act* 1948 are repealed. Repeal and saving.
  - (2.) Notwithstanding the repeal of the Acts specified in the last preceding sub-section, financial assistance to a State shall continue to be payable as provided by those Acts so long as the agreement with that State authorized by or under those Acts is in force.
  - (3.) The Commonwealth may enter into an agreement with a State providing that the agreement with that State authorized by or under the Acts repealed by sub-section (1.) of this section shall cease to be in force.
  - (4.) The regulations in force immediately before the commencement of this Act under the *Hospital Benefits Act* 1945–1948 shall continue in force as if made under this Act, but may be amended or repealed by regulations made under this Act.
  
4. In this Act, unless the contrary intention appears— Definitions.
  - “ private hospital ” means a private hospital as defined by, and approved in accordance with, the regulations ;
  - “ public hospital ” means a public hospital as defined by, and approved in accordance with, the regulations.
  
5. The Commonwealth may enter into an agreement with a State for or in relation to the provision of hospital benefits, at such rates, and subject to such conditions, as are specified in the agreement, in respect of persons who are patients in public hospitals in that State. Agreements for the provision of hospital benefits to patients in public hospitals.

Provision of hospital benefits.

6. The regulations may provide for the payment of hospital benefits in respect of persons who are patients—

- (a) in public hospitals in a Territory of the Commonwealth or in a State with which there is not for the time being in force an agreement under the last preceding section ; or
- (b) in private hospitals in a State or Territory of the Commonwealth.

Provision of hospital benefits in respect of hospitals outside Australia.

7. The regulations may provide for the payment of hospital benefits in respect of persons who—

- (a) are residents of Australia, as defined by the regulations, or the spouses, children or prescribed dependants of residents as so defined ;
- (b) are temporarily absent from Australia ; and
- (c) are patients in hospitals, as defined by the regulations, outside Australia.

Provision of additional benefits to contributors to organizations.

8.—(1.) The regulations may provide for the payment of hospital benefits in respect of persons who, being contributors, as defined by the regulations, to the funds of a hospital benefits insurance organization as defined by, and registered in accordance with, the regulations—

- (a) are patients in public hospitals or private hospitals in a State or Territory of the Commonwealth ; or
- (b) are persons specified in the last preceding section.

(2.) The hospital benefits payable under the regulations made for the purposes of the last preceding sub-section are in addition to the hospital benefits (if any) payable under an agreement entered into in pursuance of section five of this Act or under section six or seven of this Act.

Payment of hospital benefits.

9. Hospital benefits under sections six, seven and eight of this Act are payable in accordance with the regulations at such rates and subject to such conditions as are specified in the regulations.

Territories.

10. The Treasurer may pay to the Minister such sums as are agreed upon between the Treasurer and the Minister towards the maintenance of public hospitals in the Australian Capital Territory and the Northern Territory.

Payments to be made out of the National Welfare Fund.

11. Payments for the purposes of this Act or of an agreement entered into in pursuance of section five of this Act shall be made out of the Trust Account established under the *National Welfare Fund Act 1943-1950* and known as the National Welfare Fund.

Regulations.

12. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which are by this Act required or permitted to be prescribed, or which are necessary or convenient

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to be prescribed for carrying out or giving effect to this Act, and, in particular, for prescribing penalties not exceeding a fine of Fifty pounds or imprisonment for a period not exceeding three months, or both, for offences against the regulations.

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