

HOSPITAL ADVISORY BOARDS ORDINANCE 1970

349

No. 12 of 1970

An Ordinance relating to the establishment of Hospital Advisory Boards and for other purposes

[Assented to 8 April, 1970]

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1. This Ordinance may be cited as the *Hospital Advisory Boards Ordinance 1970*. Short title
2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.* Commencement
3. The Ordinances specified in the Schedule to this Ordinance are repealed. Repeal
4. In this Ordinance unless the contrary intention appears— Definitions
 - “member” means member of a board;
 - “board” means a hospital advisory board established under this Ordinance for a hospital;
 - “the board” means, in relation to such a hospital, the Hospital Advisory Board established under this Ordinance for that hospital;
 - “the Director of Health” means the person for the time being holding, or performing the duties of, the office of Commonwealth Director of Health for the Northern Territory;
 - “the Medical Superintendent” means the person for the time being holding, or performing the duties of Medical Superintendent of a hospital to which this Ordinance applies;
 - “the Minister” means the Minister of State for Health.
5. The Administrator in Council may, by notice in the *Gazette*, establish a hospital advisory board for a hospital that was established under the *Hospitals and Medical Services Ordinance 1953-1965*. Establishment of boards

* The date fixed was 7 October, 1970 (see *Northern Territory Government Gazette* No. 40 of October, 1970, page 281).

Number of
members

6. Where the Administrator in Council establishes a hospital advisory board, he shall, in the notice, determine how many members the board shall consist of, and may, by notice in the *Gazette*, amend the number of members so determined.

Appointment
of members

7.—(1.) A Hospital Advisory Board shall consist of the number of members determined by the Administrator in Council pursuant to the terms of this Ordinance, one of whom shall be the Medical Superintendent of the hospital for which the board has been appointed and one of whom shall be a medical practitioner who is registered under the *Medical Practitioners Registration Ordinance 1935-1967* and resides and practises as a private medical practitioner in the locality in which the hospital is situated if such a medical practitioner is available.

(2.) Members other than Medical Superintendents shall be appointed by the Administrator in Council by notice in the *Gazette*.

(3.) Subject to sections 10 and 11 of this Ordinance a member other than a Medical Superintendent shall hold office for three years or such lesser period as is specified in the notice of appointment.

First meeting;
election of
Chairman, &c

8.—(1.) The Administrator shall, by notice in writing to each member of a board, appoint a time and place for the holding of the first meeting of the board.

(2.) A board shall elect—

(a) a Chairman who shall hold office until the board elects a new Chairman; and

(b) a Deputy Chairman who shall hold office until the board elects a new Deputy Chairman.

(3.) The Chairman of a board shall preside at all meetings of the board at which he is present.

(4.) In the event of the illness or absence of the Chairman, the Deputy Chairman shall have and may exercise all the powers and functions of the Chairman.

(5.) In the event of the absence of the Chairman and the Deputy Chairman of a board from a meeting of the board, the members present shall appoint one of their number to preside at that meeting.

(6.) At meetings of a board, three members shall form a quorum, and the Chairman, Deputy Chairman or person acting as Chairman at any particular meeting, has a deliberative vote and, in the event of an equality of votes, also has a casting vote.

(7.) The absence of any member from a meeting of a board shall be reported by the Chairman to the Administrator.

(8.) Every member present at any meeting of a board may vote on all questions put to the meeting; but if all the members are not present at the meeting, any two members may request that the question be deferred for determination by a full meeting of the board and the question shall then be deferred until the next meeting of the board.

(9.) Where any question has been so deferred a notification of the fact shall be sent to each member, and every member who has received the notification shall attend the next meeting or submit to the board a reasonable explanation of his failure to attend.

(10.) Minutes of the proceedings of all meetings of a board shall be kept by the Secretary to a board, and copies of minutes relating to each meeting shall be transmitted by the Chairman to the Administrator as soon as practicable after the meeting is held.

9.—(1.) The first meeting of a board shall be held at the time and place appointed by the Administrator in accordance with the last preceding section. Meetings

(2.) Subject to the last preceding section and section 16 of this Ordinance—

(a) the Chairman shall appoint a place and time for each meeting of a board, but so that the time appointed is within three months of the date of the meeting last held before the time appointed; and

(b) meetings of a board shall be held at the places and times so appointed.

(3.) If three members of a board by notice in writing to the Chairman require the Chairman to appoint a place and time for a meeting of the board, the Chairman shall appoint a place and time for a meeting so that the meeting may be held within seven days of the day on which he receives the notice.

10. The Administrator may, on the recommendation of a board, dispense with the services of any member other than the Medical Superintendent for misbehaviour or for neglect or failure to carry out any of the provisions of this Ordinance. Dismissal of members of a board

11.—(1.) A member other than the Medical Superintendent shall be deemed to have vacated his office— Vacation of office as member of a board

(a) if his services are dispensed with in pursuance of the last preceding section;

- (b) if he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;
- (c) if he becomes of unsound mind;
- (d) if he resigns his office by writing addressed to the Administrator and the resignation is accepted by the Administrator; or
- (e) if he absents himself (except on leave granted by a board) from two consecutive meetings of a board.

(2.) A Medical Superintendent ceases to be a member of the board if he ceases to be the Medical Superintendent of the hospital for which the board has been established.

(3.) A member who was, at the date of his appointment as a member of the board, a medical practitioner who was registered under the *Medical Practitioners Registration Ordinance 1935-1967* and was residing and practising as a private medical practitioner in the locality in which the hospital is situated ceases to be a member if he ceases to be so registered or ceases to so reside or practise.

Appointment of
Secretary to
a board

12.—(1.) A board may, subject to the directions of the Administrator and with his concurrence, appoint a Secretary to the board and such clerical and other officers as are necessary for the efficient operation of the board.

(2.) Subject to any Act, providing for the determination of terms and conditions of employment, which is applicable, a person appointed under this section shall be engaged for such period as the board, subject to the directions of the Administrator and with his concurrence, determines, and his employment shall be at such salary, wages or rate of pay, and upon such terms and conditions, as the board, subject to the directions of the Administrator and with his concurrence, determines.

General powers
and duties
of a board

13.—(1.) A board shall—

- (a) discuss and consider such matters as it thinks fit concerning the administration of the hospital; and
- (b) after discussing and considering such matters make such recommendations as it thinks fit to the Director of Health and to the Director-General of Health.

(2.) A board may confer with such registered medical practitioners as it thinks fit on matters of interest to the hospital.

(3.) A board may confer with such other persons as it thinks fit on matters of interest to the hospital and may, at a

meeting of the board, hear or receive correspondence from a person, not being a person employed in the Department of Health, making a complaint or criticism in relation to the administration of the hospital.

(4.) A board may, on giving reasonable notice to the Medical Superintendent, visit and inspect the hospital at any time between eight o'clock in the morning and six o'clock in the afternoon, exclusive of Saturdays and Sundays.

(5.) The powers conferred on a board by this Ordinance shall not be affected by reason only of there being a vacancy in the membership of the board.

14.—(1.) A board shall, in each year—

Reports

(a) in the month of February, furnish to the Minister—

(i) a report as to the condition of the buildings, furniture, fittings, equipment and installations of the hospital; and

(ii) a statement setting out proposals for such additions and alterations as, in the opinion of the board, ought to be made to such buildings, furniture, fittings, equipment and installations during the year commencing on the next succeeding first day of July; and

(b) in the month of July, furnish to the Director of Health and to the Administrator for transmission to the Minister the comments of the board on the administration of the hospital during the year ended on the last preceding thirtieth day of June.

15. A board shall cause to be laid before the Legislative Council a copy of each report and statement and of all comments referred to in the last preceding section on the first sitting day of the Council after the furnishing of each such report and statement and of all such comments.

Reports to be laid before Legislative Council

16. The Minister or Administrator, or any person authorized by either of them in writing to do so, may at any time call a special meeting of a board, or require the Chairman or the Secretary of a board to call such a meeting, and it shall be the duty of the Chairman or the Secretary, as the case may be, to call a meeting accordingly.

Minister may call special meeting of a board

17.—(1.) The Minister or Administrator, or a person authorized by either of them in writing to do so, shall be entitled to be present at any meeting of a board and to speak at such a meeting but shall not take any other part in the proceedings of the meeting.

Minister may attend any meeting of a board

(2.) The Director of Health may by leave of the Chairman be present at a meeting of a board and speak at that meeting but shall not take any other part in the proceedings of the meeting.

Regulations

18. The Administrator in Council may make regulations not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance.

THE SCHEDULE

Section 3

Ordinances Repealed

Alice Springs Hospital Advisory Board Ordinance 1962
Alice Springs Hospital Advisory Board Ordinance (No. 2) 1962
Alice Springs Hospital Advisory Board Ordinance 1963
Alice Springs Hospital Advisory Board Ordinance 1964
Darwin Hospital Advisory Board Ordinance 1961
Darwin Hospital Advisory Board Ordinance (No. 2) 1961
Darwin Hospital Advisory Board Ordinance 1962
Darwin Hospital Advisory Board Ordinance 1963 Repealed Ordinance 1964
Darwin Hospital Advisory Board Ordinance 1966
Darwin Hospital Advisory Board Ordinance 1969
Katherine Hospital Advisory Board Ordinance 1969
