



ANNO DECIMO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1969

No. 3 of 1969

An Act to amend the Da Costa Samaritan Fund
(Incorporation of Trustees) Act, 1953.

[Assented to 27th February, 1969.]

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 "Da Costa Samaritan
Fund (Incorporation of Trustees) Act Amendment Act, 1969".

(2) The Da Costa Samaritan Fund (Incorporation of Trustees)
Act, 1953, as amended by this Act, may be cited as the "Da
Costa Samaritan Fund (Incorporation of Trustees) Act,
1953-1969".

(3) The Da Costa Samaritan Fund (Incorporation of Trustees)
Act, 1953, is hereinafter referred to as "the principal Act".

**Amendment of
principal Act,
s. 14—
Audit.**

2. Section 14 of the principal Act is amended by striking
out from subsection (1) the passage "an auditor holding an
auditor's licence under the Companies Act, 1934-1952," and
inserting in lieu thereof the passage "a registered company
auditor within the meaning of the Companies Act, 1962-1968,".

**Repeal and
re-enactment
of s. 19 of
principal Act—
Trusts.**

3. Section 19 of the principal Act is repealed and the
following section is enacted and inserted in its place :—

19. (1) The trust shall stand possessed of the trust
property upon trust—

(a) to pay out of the income thereof or out of any money being part of the trust property and representing income, the expenses of management and other expenditure lawfully incurred by the trust on or in connection with the trust property ;

and

(b) to apply the balance of the income and such money from time to time in such manner as the trust thinks fit for the benefit of the convalescent patients of any hospital or hospitals to which this section applies.

(2) This section applies to—

- (i) the Royal Adelaide Hospital ;
- (ii) The Queen Elizabeth Hospital ;

and

(iii) any other hospital which for the time being is declared by proclamation to be a hospital to which this section applies.

(3) The Governor may, from time to time, by proclamation, declare any hospital (being a public hospital within the meaning of the Hospitals Act, 1934-1967) to be a hospital to which this section applies, and may, from time to time, by proclamation revoke any such declaration.

4. The following section is enacted and inserted in the principal Act after section 19 :—

Enactment of
new s. 19a of
principal Act—

19a. (1) Where any moneys were, before the commencement of the Da Costa Samaritan Fund (Incorporation of Trustees) Act Amendment Act, 1969, in the opinion of the trustees, applied by them substantially for the benefit of convalescent patients of the Royal Adelaide Hospital, such application of those moneys by the trust shall be deemed never to have been invalid by reason only that a benefit might also have been thereby conferred upon persons who were convalescent patients or suffering illness or injury but were not themselves convalescent patients of that hospital.

Validation.

(2) Where any moneys are, after the commencement of the Da Costa Samaritan Fund (Incorporation of Trustees) Act Amendment Act, 1969, in the opinion of the trustees, applied by them substantially for the benefit of the convalescent patients of a hospital or hospital to which section 19 of this Act applies, such application

1969 Da Costa Samaritan Fund (Incorporation No. 3
of Trustees) Act Amendment Act, 1969.

of those moneys by the trust shall be deemed not to be invalid by reason only that a benefit may also be thereby conferred upon persons who are convalescent patients or suffering illness or injury but are not themselves convalescent patients of any such hospital.

Amendment of
principal Act,
s. 20—
Rules.

5. Section 26 of the principal Act is amended by striking out from paragraph (a) of subsection (1) the passage "of the Royal Adelaide Hospital".

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

J. M. NAPIER, Governor's Deputy.