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# GEORGII V REGIS.

A.D. 1926.

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## No. 1728.

An Act to provide for the incorporation of Public Hospitals.

[Assented to, September 30th, 1926.]

**B**E it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Hospitals (Incorporation) Act, 1926". Short titles.

(2) The Hospitals Acts, 1867 to 1921, and this Act may be cited together as the "Hospitals Acts, 1867 to 1926".

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act and those Acts and this Act shall be read as one Act. Incorporation.

3. (1) Where a hospital has at any time, whether before or after the commencement of this Act, become a public hospital within the meaning of the Rating for Hospital Purposes Act, 1919, and is not incorporated under the provisions of any other Act, it shall be lawful for not less than two-thirds of the members of the Board of Management or other controlling authority of such hospital to present a petition to the Chief Secretary praying that the Board of Management or other controlling authority of the hospital, and the contributors thereto for the time being, shall be constituted a body corporate. Incorporation of public hospitals.

(2) Upon receipt of any such petition the Chief Secretary shall cause the substance thereof to be published in the *Government Gazette*.

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(3) Unless within one month after the publication in the *Gazette* of the substance of the petition a counter-petition, signed by a majority of the contributors for the time being to the hospital, is presented to the Chief Secretary objecting to the proposed incorporation, and the Chief Secretary is of opinion that there is some adequate reason why the hospital should not be incorporated, the Governor in Council may by proclamation declare the said Board of Management or other controlling authority of the hospital and the contributors thereto for the time being to be a body corporate, and upon the making of the proclamation they shall become a body corporate accordingly.

(4) The name of every hospital incorporated under this section shall be formed of the name of the hospital prior to incorporation with the addition of the word "Incorporated":

Provided that this section shall not affect any power of the Board of Management or any other persons to change the name of such hospital so long as the word "Incorporated" appears at the end of the name as so changed.

**Powers of incorporated hospitals.**

4. Every hospital incorporated pursuant to this Act, may—

- (a) have and use a common seal on which shall be inscribed the name of the hospital, and break, alter, and change the same from time to time:
- (b) sue and be sued under its corporate name:
- (c) purchase and hold lands, tenements, and hereditaments in its corporate name, and let, sell, mortgage, or dispose of the same and execute conveyances, mortgages, and assurances thereof, and otherwise deal with the same as fully and effectually as an individual owner could do.

**Transfer of property.**

5. (1) Upon the incorporation of any hospital pursuant to this Act there shall be transferred to and vested in such hospital all property of whatever kind held by any persons in trust for such hospital.

(2) The Board of Management of any such hospital may file in the office of the Registrar-General of Deeds at Adelaide a memorial verified by the declaration of any two or more members of the Board stating—

- (a) that the hospital has been incorporated pursuant to this Act;
- (b) the names of the trustees of any such property, being real estate;
- (c) a description of such property sufficient to enable the Registrar-General to identify the same; and
- (d) the name of the hospital,

and upon the receipt of such memorial the said Registrar-General shall make all entries in the Register Book or on any deed, instrument, or other document, registered or filed in the General Registry Office

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Office or the Lands Titles Office, and do all things necessary or convenient to evidence the title of the hospital to the said property.

6. The incorporation of any persons pursuant to this Act shall not affect any liabilities incurred by those persons prior to their incorporation. Saving of liabilities prior to incorporation.

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

TOM BRIDGES, Governor.