

# Hospitals (Powers) Bill

## EXPLANATORY MEMORANDUM

### Outline

The purpose of this Bill is to provide a means for public hospitals and similar institutions to capitalise on the products of their research.

In particular, it will empower committees of management, with the approval of the Minister, to make commercial arrangements for the exploitation of research, to enter into joint ventures, and to form or participate in companies, associations, trusts or partnerships.

### Clause Notes

*Clause 1* describes the purposes of the Act.

*Clause 2* provides that the Act comes into operation on Royal Assent.

*Clause 3* amends section 165 of the *Health Act* 1958 to vest in the Fairfield Hospital Board powers to teach and to disseminate information about infectious diseases. The amendment also gives the Board the capacity to carry out and promote research, and to patent or copyright inventions or discoveries made by or on behalf of the Board. A new section 165A to be inserted by the clause gives the Board power, subject to the approval of the Minister and to such terms as the Minister determines after consultation with the Treasurer, to enter into contracts or arrangements for the commercial exploitation of any research or industrial property rights, to be a member of, or to form, or participate in the formation of a company, association, trust, or partnership and to enter into joint ventures.

*Clause 4* amends section 34(3) of the *Cancer Act* 1958 to enable the Cancer Institute Board to patent or copyright its discoveries and inserts with respect to the Board a new section 34AA, similar to proposed section 165A to be inserted in the Health Act.

*Clause 5* inserts a new section 86 into the *Hospitals and Charities Act* 1958. The new section follows the new sections to be inserted into the Health Act and the Cancer Act. It gives the committees of scheduled hospitals and subsidised incorporated institutions a capacity to participate in commercial undertakings with respect to research or industrial property rights.