

## PUBLIC HOSPITALS (AMENDMENT) ACT.

Act No. 17, 1940.

**George VI.**  
**No. 17, 1940.** An Act to amend the Public Hospitals Act, 1929-1937, in certain respects; and for purposes connected therewith. [Assented to, 30th May, 1940.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**Short title.**     **1.** (1) This Act may be cited as the "Public Hospitals (Amendment) Act, 1940."

(2) The Public Hospitals Act, 1929-1937, as amended by this Act, may be cited as the Public Hospitals Act, 1929-1940.

**Amendment of Act No. 8, 1929, sec. 19.**     **2.** The Public Hospitals Act, 1929-1937, is amended—  
(a) by inserting at the end of section nineteen the following new subsection:—

(Vesting of property, etc.)

(2) (a) The constitution of a hospital as a body corporate by or under this Act shall not operate and shall be deemed never to have operated so as to release any surety or guarantor from liability as such surety or guarantor for or of the payment of any debts due or to become due or of moneys payable or to become payable by the hospital.

(b) In any case in which a guarantee has been given guaranteeing the payment by a hospital of moneys advanced or to be advanced to it and such hospital is constituted a body corporate under this Act such guarantee shall extend and shall be deemed always to have extended to all advances made to such body corporate after its constitution as such.

(c)

**Burrinjuck Dam Improvement Act.**

187

(c) This subsection shall extend to and in respect of any guarantee validated or authorised by the Government Guarantees Act, 1934, as amended from time to time.

No. 17, 1940.

(b) by inserting next after section thirty-seven the following new section:—

New  
sec. 37A.

37A. (1) Notwithstanding any limitation of its powers in this Act contained or otherwise arising, the board of a hospital shall have and shall be deemed always to have had power, on behalf of the hospital, to obtain advances by way of overdraft from any bank.

Power  
of board  
to borrow  
by way of  
overdraft.

(2) In this section the expression "board of a hospital" includes the governing authority of any institution the name of which is included in the Third Schedule to this Act and the expression "hospital" includes any such institution.

---