

**AMBULANCE TRANSPORT SERVICE  
(AMENDMENT) ACT.**

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**Act No. 13, 1956.**

Elizabeth II.,  
No. 13, 1956 An Act to provide for the reconstitution of the New South Wales Ambulance Transport Service Board; for this and certain other purposes to amend the Ambulance Transport Service Act, 1919, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 6th September, 1956.]

**B**E it enacted by the Queen'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:—

**1.**

**Ambulance Transport Service (Amendment) Act.**

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**1.** (1) This Act may be cited as the "Ambulance Transport Service (Amendment) Act, 1956", and shall be read and construed with the Ambulance Transport Service Act, 1919, as amended by subsequent Acts.

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Short title,  
citation  
and  
commence-  
ment.

(2) The Ambulance Transport Service Act, 1919, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Ambulance Transport Service Act, 1919-1956.

(4) This Act shall, except where otherwise expressly provided, commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

**2.** (1) Upon a day to be appointed by the Governor and notified by proclamation published in the Gazette (which day is in this Act referred to as the "appointed day") the New South Wales Ambulance Transport Service Board shall be reconstituted and shall consist of twenty-one members who shall be appointed in accordance with section four of the Principal Act as re-enacted by this section.

Reconstitu-  
tion of the  
N.S.W.  
Ambulance  
Transport  
Service  
Board.

(2) (a) Nothing contained in this section shall prejudice or affect in any way the continuity of the body corporate constituted under the Principal Act but the same shall continue notwithstanding the provisions of this section.

(b) The said body corporate shall continue and shall be deemed always to have continued notwithstanding that there are or have been at any time or times vacancies in the offices of all of the members of the body corporate or of any one or more of them.

(3)

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(3) The term of office of any member of the New South Wales Ambulance Transport Service Board—

- (a) who is in office at the commencement of this Act or who is appointed or elected after such commencement to fill a vacant office; and
- (b) who would, but for the provisions of this subsection, retire before the appointed day,

is hereby extended for a period expiring on the appointed day.

No appointment or election of a member of the New South Wales Ambulance Transport Service Board other than an appointment or election to fill a vacant office shall be made or held under the Principal Act between the commencement of this Act and the appointed day.

(4) (a) For the purpose only of the appointment of persons to be members of the New South Wales Ambulance Transport Service Board as reconstituted under this section, and of any matters necessary for or incidental to such appointment or reconstitution the provisions of subsection five of this section shall commence upon the day upon which this Act commences.

(b) The persons so appointed shall assume their offices as members of the New South Wales Ambulance Transport Service Board upon the appointed day; and on that day the provisions of subsection five of this section shall come into force for all purposes.

Amendment  
of Act No.  
5, 1919.

Sec. 2.  
(Defini-  
tions.)

(5) The Principal Act is amended—

- (a) (i) by omitting from section two the definition of "The board" and by inserting in lieu thereof the following definition:—

"Board" means the New South Wales  
Ambulance Transport Service  
Board constituted under this Act.  
(ii)

- (ii) by omitting the definition of "Life member" in the same section and by inserting in lieu thereof the following definition:—

"Life member" means any person who immediately before the commencement of the Ambulance Transport Service (Amendment) Act, 1956, was a life member, or who, after such commencement, contributes to the funds of the board or of any district committee a sum of not less than fifty pounds, or is appointed a life member under section fourteen.

- (b) by omitting sections four, five, six, seven, eight, nine and ten and by inserting in lieu thereof the following sections:—

4. (1) The board shall consist of twenty-one members who shall be appointed by the Governor. Of the members so appointed—

- (a) three shall be nominated by the Minister, one of whom shall be the chairman of the board;
- (b) one shall be nominated by the Saint John Ambulance Brigade (Overseas) New South Wales District;
- (c) one shall be nominated by the Saint John Ambulance Association, New South Wales Centre;
- (d) one shall be a qualified ambulance transport man nominated by the Hospital Employees' Association of New South Wales;
- (e) two shall be nominated by the Ambulance Superintendents Association;
- (f) one shall be the Superintendent of the Central District;

(g)

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- (g) two shall be elected by the Committee of the Central District;
- (h) two shall be elected by the members of district committees (other than the Central District Committee) the headquarters of which are situated in the County of Cumberland;
- (i) two shall be elected by the members of district committees the headquarters of which are situated in the County of Northumberland;
- (j) two shall be elected by the members of district committees the headquarters of which are situated in the Northern Zone established under this Act;
- (k) two shall be elected by the members of district committees the headquarters of which are situated in the Central Zone established under this Act;
- (l) two shall be elected by the members of district committees the headquarters of which are situated in the Southern Zone established under this Act.

No person shall be entitled to be elected pursuant to paragraph (g), (h), (i), (j), (k) or (l) of this subsection unless he is a member of a district committee to which the said paragraph (g), (h), (i), (j), (k) or (l) respectively applies.

(2) (a) The members referred to in paragraphs (a) to (f) inclusive of subsection one of this section are in this Act referred to as "appointed members".

(b) The members referred to in paragraphs (g) to (l) inclusive of subsection one of this section are in this Act referred to as "elected members".

(3)

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(3) No person who is an employee of a district committee shall be eligible for appointment as a member of the board pursuant to paragraph (a), (c), (g), (h), (i), (j), (k) or (l) of subsection one of this section. No. 13, 1956.

5. (1) (a) Nominations of members pursuant to paragraphs (b), (c), (d) and (e) of subsection one of section four of this Act shall be made within the times prescribed. Nomina-  
tions and  
elections of  
members.

(b) Elections of members pursuant to paragraphs (g) to (l) inclusive of subsection one of section four of this Act shall be held and conducted in the prescribed manner and within the times prescribed.

(2) If any nomination is not duly made pursuant to paragraph (b), (c), (d) or (e) of subsection one of section four of this Act or if any person is not duly elected pursuant to paragraph (g), (h), (i), (j), (k) or (l) of the said subsection the Governor may appoint a member who shall be deemed to have been duly nominated or elected pursuant to that paragraph in respect of which such nomination or election has not been made.

6. The members of the board shall, subject to this Act, hold office for a period of three years and shall be eligible for re-appointment. Tenure of  
office.

7. The provisions of the Public Service Act, 1902, or of any Act amending that Act, shall not apply to the appointment of members of the board, and such members shall not in their capacity as members of the board be subject to the provisions of any such Act. Public  
Service  
Acts not to  
apply to  
appoint-  
ments.

8. (1) The chairman, when present, shall preside at all meetings of the board. Meetings  
of the  
board.

In the absence of the chairman from any meeting, another member chosen for the purpose by the majority of members present and voting shall preside.

(2)

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(2) The person presiding at any meeting of the board shall have a casting vote as well as a deliberative vote.

(3) Ten members of the board shall be a quorum.

**Vacancies.**

9. (1) A member shall be deemed to have vacated his office if he—

- (a) dies; or
- (b) resigns his office by writing under his hand addressed to the secretary of the board; or
- (c) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act of 1898, as amended by subsequent Acts; or
- (d) is absent without the leave of the board from three consecutive meetings of the board; or
- (e) is removed from office by the Governor; or
- (f) being a member appointed pursuant to paragraph (a), (c), (g), (h), (i), (j), (k) or (l) of subsection one of section four of this Act, becomes an employee of a district committee; or
- (g) being a member appointed pursuant to paragraph (g), (h), (i), (j), (k) or (l) of subsection one of section four of this Act ceases to be a member of a district committee to which the said paragraph (g), (h), (i), (j), (k) or (l) respectively applies:

Provided that any vacation of office pursuant to paragraph (g) of this subsection shall take effect as from the anniversary of the appointment of the member next following his ceasing to be a member of such district committee.

(2)

(2) The Governor may, for any cause <sup>No. 13, 1956.</sup> which appears to him sufficient, suspend or remove any member from office.

(3) Where a vacancy occurs in the office of an appointed member such vacancy shall be filled in the same manner in all respects as if the vacancy occurred by reason of the expiration of the term of office of such appointed member.

(4) Where a vacancy occurs in the office of an elected member such vacancy shall be filled in the same manner in all respects as if the vacancy occurred by reason of the expiration of the term of office of such elected member :

Provided that where the vacancy occurs within the last six months of the term of office of an elected member, the Minister may order that such vacancy shall not be filled.

(5) The member filling any vacancy pursuant to subsection three or four of this section shall, subject to this Act, hold office as a member until the time when his predecessor's term of office would have expired, and shall be eligible for re-appointment.

10. (1) No act or proceeding of the board shall be invalidated or prejudiced by reason only of the fact that at the time when such act or proceeding was done, taken or commenced there was a vacancy in the office of any member. <sup>Validity of acts and proceedings.</sup>

(2) All acts and proceedings of the board shall, notwithstanding the subsequent discovery of any defect in the appointment or election of any member thereof, or that any member was disqualified to act, be as valid as if such member had been duly appointed or elected and was qualified to act and had acted as a member of the board, and as if the board had been properly and fully constituted.



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**3.** (1) The Principal Act is further amended—Further  
amendment  
of Act No.  
5, 1919.New sec.  
13A.

(a) by inserting next after section thirteen the following new section:—

Zoning of  
districts.

13A. For the purposes of the reconstitution of the board in accordance with the provisions of section two of the Ambulance Transport Service (Amendment) Act, 1956, the board shall, within three months from the commencement of the said Act, recommend to the Minister the districts, the headquarters of which are situated outside the Counties of Cumberland and Northumberland, which should be comprised within zones to be known as the Northern Zone, the Central Zone and the Southern Zone.

Each of such zones shall, as far as is practicable, comprise an equal number of districts.

The Minister's approval of the board's recommendation shall be sufficient authority for the establishment of the said zones and the zones so established shall be the Northern, Central and Southern Zones for the purposes of paragraphs (j), (k) and (l) respectively of subsection one of section four of this Act as re-enacted by the Ambulance Transport Service (Amendment) Act, 1956.

The zones first established under this section may be altered from time to time by the Minister on the recommendation of the board and the zones as so altered shall for the time being be the Northern, Central and Southern Zones for the purposes aforesaid.

Sec. 16.  
(Vesting of  
property in  
board.)

(b) by omitting from subsection one of section sixteen the words "any of the ambulance brigades mentioned in section four of this Act" and by inserting in lieu thereof the words "the

Civil

Civil Ambulance Transport Brigade, the Canterbury District Ambulance Brigade or the Newtown and District Ambulance Transport Brigade”;

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- (c) by omitting from section eighteen the words “of the board in accordance with regulations made under this Act and in accordance with such by-laws as may be made by such district committee with the approval of the board” and by inserting in lieu thereof the words “and direction of the board”;

Sec. 18.

(Administra-  
tion of  
districts.)

- (d) by inserting next after section eighteen the following new sections:—

New secs.  
18A, 18B.

18A. (1) The administration and management of each district committee shall be inquired into, and the ambulance stations, plant, equipment, vehicles, books, documents and accounts of each district committee shall be inspected, from time to time, by the board or such members or officers of the board as may be authorised in that behalf by the board in writing under its seal.

Inquiry by  
board as to  
administra-  
tion of  
district  
committees.

A district committee and the officers and servants of a district committee in respect of which any inquiry or inspection as aforesaid is being conducted or made shall, when so required by the board or members or officers of the board conducting or making such inquiry or inspection, give such assistance and information as the board or members or officers may require in connection with or appertaining to such inquiry or inspection.

(2) For the purpose of conducting any inquiry under this section the members or officers of the board conducting the inquiry and the person presiding at any such inquiry shall if the Minister so approves have the powers, authorities, protections and immunities conferred

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conferred by the Royal Commissions Acts, 1923-1934, on commissioners and the chairman of a commission respectively appointed under Division 1 of Part II of that Act, and the said Act, section thirteen and Division 2 of Part II excepted, shall, mutatis mutandis, apply to any witness summoned by or appearing before such members or officers of the board.

(3) Where members or officers of the board, authorised in that behalf by the board, conduct an inquiry or make an inspection under this section such members or officers shall upon the completion of such inquiry or inspection furnish to the board a report and recommendation thereon and a certified copy of any evidence taken thereat. The decision of the board shall, where an inquiry has been conducted or an inspection has been made by members or officers of the board, be given after consideration of such report, recommendation and evidence.

(4) In any case where the decision of the board upon any inquiry conducted or inspection made by the board or members or officers of the board under this section includes a direction that a district committee should take any action affecting its administration or management the district committee shall, upon being notified of the board's decision, take such action in accordance with such direction.

(5) Any person who obstructs or hinders the board or any member or officer thereof in the performance of any duty imposed or the exercise of any power conferred by this section shall be guilty of an offence against this Act and shall upon conviction before a stipendiary magistrate or any two justices in petty sessions be liable to a penalty not exceeding fifty pounds.

18B. (1) Where the board, after an inquiry has been conducted or inspection has been made in accordance with section 18A of this Act, has decided

Removal of  
district  
committees.

decided that a district committee or any members thereof has or have been guilty of misconduct in the administration and management of the district committee in respect of which such inquiry has been conducted or inspection has been made or where a district committee has failed to take any action affecting its administration or management in accordance with any direction of the board under section 18A of this Act the Governor may, on the recommendation of the board, by proclamation published in the Gazette—

- (a) remove all or any of the members of such district committee from office, and
- (b) authorise an election of or appoint the requisite number of members of such district committee or appoint the board or such other person as the board may nominate to be administrator of the business and operations of the district of such district committee.

(2) The administrator so appointed shall in respect of the business and operations of the district for which such administrator is appointed have the powers, authorities, duties and functions of the district committee.

(3) Any person elected or appointed as a member of a district committee pursuant to paragraph (b) of subsection one of this section shall hold office for such term as the Governor may determine.

(4) At any time after the appointment of an administrator pursuant to paragraph (b) of subsection one of this section the Governor may, by proclamation published in the Gazette, **authorise**

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authorise the election of a new district committee on a day appointed in such proclamation. Such new district committee shall hold office for such term as the Governor may determine.

(5) Upon the election of such new district committee or upon the termination of office of an administrator appointed under paragraph (b) of subsection one of this section the powers, authorities, duties and functions of the administrator of the district in respect of which such election has been held or whose appointment has been terminated, as the case may be, shall cease.

(2) The amendment made by paragraph (b) of subsection one of this section shall be deemed to have commenced upon the twenty-fourth day of December, one thousand nine hundred and twenty-four.

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