

## PRIVATE HOSPITALS (AMENDMENT) ACT.

### Act No. 45, 1964.

Elizabeth II,  
No. 45, 1964

An Act to regulate the use of the description “matron” in certain circumstances; to make further provisions with respect to the licensing of private hospitals and rest homes; for these purposes to amend the Private Hospitals Act, 1908–1954, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 27th November, 1964.]

**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 :—

Short title,  
commence-  
ment and  
citation.

**1.** (1) This Act may be cited as the “Private Hospitals (Amendment) Act, 1964”.

(2)

(2) This Act shall commence on a day to be appointed by the Governor and notified by proclamation published in the Gazette. No. 45, 1964

(3) The Private Hospitals Act, 1908, as amended by subsequent Acts and by this Act, may be cited as the Private Hospitals Act, 1908-1964.

2. The Private Hospitals Act, 1908-1954, is amended— Amendment  
of Act No.  
14, 1908.

(a) by omitting paragraph (b) of subsection two of section seven; Sec. 7.  
(Application  
for license.)

(b) (i) by omitting from subsection five of section eight the words "endorsement on the license" and by inserting in lieu thereof the words "forwarding by post a notice in writing to the licensee at the address of the private hospital or rest home to which the license applies specifying the manner in which those particulars have been varied, and the license shall thereupon be deemed to have been varied accordingly"; Sec. 8.  
(Granting  
of the  
license.)

(ii) by omitting from the same subsection the words "No such variation shall be made except upon the application of the licensee." and by inserting in lieu thereof the following paragraphs:—

The particulars of any such variation shall be endorsed on the license which shall be forwarded by the licensee to the Board of Health for that purpose within fourteen days of receipt of any such notice.

Any licensee who fails to forward a license in accordance with the provisions of this subsection shall be guilty of an offence against this Act.

(c)

**Private Hospitals (Amendment) Act.****No. 45, 1964**

New sec. 8A.

Notification  
of change of  
particulars.

- (c) by inserting next after section eight the following new section :—

8A. (1) In this section “particulars” means any prescribed particulars furnished in respect of a private hospital or rest home pursuant to subsection two of section seven of this Act or, as the case may be, those particulars as varied by any further particulars details of which have been furnished to the Board of Health from time to time after the grant of a license for that private hospital or rest home.

(2) Where any change of particulars occurs, the licensee for the time being of the private hospital or rest home to which those particulars relate shall notify the Board of Health of the details thereof within fourteen days after such change, or such further period as the Board of Health with the approval of the Minister may allow.

(3) Where any change of particulars has occurred before the commencement of the Private Hospitals (Amendment) Act, 1964, the licensee shall notify the Board of Health of the details thereof within one month after such commencement, or such further period as the Board of Health with the approval of the Minister may allow.

Subst. sec. 9.

- (d) by omitting section nine and by inserting in lieu thereof the following section :—

Annual  
license fee  
to be paid.

9. (1) Subject to this section, every license (other than an interim license) shall continue in force until revoked.

(2) Every licensee (other than the licensee under an interim license) shall, on or before the thirty-first day of December in each year, pay to the Board of Health an annual license fee of such amount as may be prescribed.

**(3)**

(3) If any licensee does not pay the pre-<sup>No. 45, 1964</sup>scribed annual license fee on or before the thirty-first day of December in any year his license shall cease to be in force as from the first day of January next following.

(4) If a license is lost, destroyed or damaged a duplicate thereof may, upon payment of the prescribed fee, be issued upon production to the Board of Health of such evidence of loss, destruction or damage as it may with the approval of the Minister require.

(5) This section shall extend to licenses granted before as well as after the commencement of the Private Hospitals (Amendment) Act, 1964.

- (e) (i) by omitting from subsection one of section 9A <sup>Sec. 9A.</sup> the words “, during the period for which the <sup>(Death of licensee.)</sup> license remains in force,”;
- (ii) by omitting from the same subsection the words “for the balance of such period,”;
- (iii) by omitting from paragraph (a) of subsection two of the same section the words “during the period for which the license remains in force”;
- (iv) by omitting from the same paragraph the words “for the balance of such period,”;
- (f) by omitting from subsection three of section 9B <sup>Sec. 9B.</sup> the words “for the balance of the period for which it <sup>(Transfer of license.)</sup> remains in force”;
- (g) by inserting next after section 10A the following <sup>New sec. 10B.</sup> new section :—

10B. (1) The licensee, manager or resident <sup>Certain description not to be used.</sup> assistant of, or any person employed in the conduct, management or control of a private hospital or rest home who uses the description “matron” either

in

**Private Hospitals (Amendment) Act.****No. 45, 1964**

in relation to himself or any other person in connection with the conduct of that private hospital or rest home shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding fifty pounds.

(2) Subsection one of this section shall not apply to the use of the description "matron" in relation to the manager or resident assistant of a private hospital or rest home who is registered as a nurse under the Nurses Registration Act, 1953, as amended by subsequent Acts.

**Sec. 16A.**  
(Revocation  
of licenses.)

(h) by inserting at the end of paragraph (e) of subsection one of section 16A the following word and new paragraph :—

; or

(f) the licensee fails to furnish any details required pursuant to subsection two or three of section 8A of this Act.

**Sec. 18.**  
(Regulations.)

(i) by omitting paragraph (s) of subsection two of section eighteen and by inserting in lieu thereof the following paragraph :—

(s) prescribing the fees to be paid for the license of a private hospital or rest home, the transfer of a license and the issue of a duplicate license and prescribing the annual fee payable in respect of licenses;

**Sec. 21.**  
(Certificate  
as to certain  
matters.)

(j) by omitting from paragraph (b) of section twenty-one the word "expired" and by inserting in lieu thereof the words "ceased to be in force".