

**NEW ZEALAND**

ANALYSIS

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Deputy Chairman of Board. 3. Provision by Board of certain health services of a preventive nature. 4. Extending purposes for which Boards may combine. | <ol style="list-style-type: none"> 5. Repealing provisions relating to cost of relief by Board of persons not resident in district. 6. Section 46 of principal Act (as to estimates of receipts and expenditure) amended. 7. Medical Director of obstetrical and gynæcological hospital in Auckland. |
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1947, No. 9

AN ACT to amend the Hospitals and Charitable Institutions Act, 1926, and to provide for the Appointment of a Medical Director of an Obstetrical and Gynæcological Hospital in or near the City of Auckland. Title.
[14th August, 1947]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Hospitals and Charitable Institutions Amendment Act, 1947, and shall be read together with and deemed part of the Hospitals and Charitable Institutions Act, 1926 (hereinafter referred to as the principal Act). Short Title.
See Reprint of Statutes, Vol. III, p. 725

2. (1) Any Hospital Board may from time to time appoint a Deputy Chairman, who shall act as Chairman of the Board during the temporary absence or incapacity of the Chairman. Deputy Chairman of Board.

(2) While so acting the Deputy Chairman may do all acts that the Chairman as such might do.

(3) The fact that the Deputy Chairman exercises any power, duty, or function of the Chairman shall be sufficient evidence of his authority so to do; and no person shall be concerned to inquire whether any occasion has arisen requiring or authorizing him so to do, or be affected by notice that no such occasion has arisen.

Provision by Board of certain health services of a preventive nature.

3. (1) Every Hospital Board may with the prior consent of the Minister, and shall if required by the Minister so to do, make such arrangements and provide such accommodation, equipment, and services as the Minister may approve in any part of the hospital district—

(a) For the carrying-out of x-ray, medical, and other examinations of persons who may submit themselves to such examination:

(b) For the vaccination, inoculation, or other medical treatment of persons who may submit themselves for such treatment with a view to obtaining immunity against disease:

(c) For the carrying-out of laboratory tests and examinations for the purpose of determining whether or not persons are suffering from infectious disease or possess immunity or resistance to such disease.

(2) No action for damages shall lie against a Board at the suit of any person in respect of any failure of that Board to conform to the requirements of this section.

Extending purposes for which Boards may combine.

4. Section eighty-one of the principal Act is hereby extended to authorize two or more Hospital Boards, in accordance with that section, to combine to establish and maintain any medical, nursing, or laboratory service, or any mobile x-ray service, or any other service that may be agreed upon by the Boards and approved by the Minister; and for the purposes of that section, and of section eighty-two of the principal Act, and of sections two and seven of the Hospitals and

Charitable Institutions Amendment Act, 1932, the term "institution" shall be deemed to include any service which a single Board may lawfully establish.

5. (1) Sections ninety-two to ninety-four of the principal Act are hereby repealed.

Repealing provisions relating to cost of relief by Board of persons not resident in district.

1932, No. 22

(2) The following enactments are hereby consequentially repealed, namely:—

(a) Sections thirteen and fourteen of the Hospitals and Charitable Institutions Amendment Act, 1932:

(b) Subsection three of section ninety-two of the Social Security Act, 1938:

1938, No. 7

(c) Section thirty-one of the Statutes Amendment Act, 1939.

1939, No. 39

6. The reference in subsection four of section forty-six of the principal Act to paragraph (c) of subsection two of section forty-three of that Act shall, as from the coming into force of section fifteen of the Finance Act (No. 2), 1946, be construed as a reference to the said section fifteen.

Section 46 of principal Act (as to estimates of receipts and expenditure) amended.

1946, No. 41

7. (1) It shall be the duty of the Auckland Hospital Board (in this section referred to as the Board) to appoint as Medical Director of any obstetrical and gynæcological hospital which the Board may maintain in or near the City of Auckland the person who for the time being occupies the Chair of Obstetrics and Gynæcology in the Auckland University College.

Medical Director of obstetrical and gynæcological hospital in Auckland.

(2) For the purpose of enabling the Board to make representations to the Auckland University College Council as to any appointment proposed to be made to the said Chair, no such appointment shall be made by the Council until the expiration of one month after the Board has been notified by the Council of the intention to make that appointment, unless the Board has previously approved a proposal to make the appointment. Nothing in this subsection shall be construed to require the Council to obtain the approval of the Board to any such appointment.

(3) The functions and duties of the Medical Director so appointed shall include the control and supervision of the work of all medical practitioners,

nurses, midwives, and other professional or technical officers who are members or honorary members of the staff of the said hospital and who are concerned with—

- (a) The treatment and care of patients in the said hospital:
- (b) Post-graduate instruction of medical practitioners:
- (c) The teaching of students of obstetrics and gynæcology:
- (d) The training or instruction of nurses:
- (e) The carrying-out of medical research relating to obstetrics and gynæcology.

(4) In addition to the functions and duties specified in subsection two of this section, the Medical Director shall have such other functions and perform such other duties in relation to the said hospital as may be agreed upon between the Board and the Auckland University College Council or, failing such agreement, as may be determined by the Minister.

(5) With respect to the performance of the functions and duties imposed on the Medical Director by or by virtue of this section in relation to the said hospital the Medical Director shall be deemed to be an officer of the Board.

(6) Subject to the provisions of this section, the provisions of section eighty-four of the principal Act shall, with the necessary modifications, apply with respect to the said hospital.

(7) In this section the expression “obstetrical and gynæcological hospital” includes any temporary hospital maintained in any annexe or any part of any institution under the control of the Board and approved by the Minister as an obstetrical and gynæcological hospital for the purposes of this section.

(8) Nothing in section thirty-eight of the principal Act shall apply with respect to the appointment by the Board of any Medical Director pursuant to this section.
