

# AUSTRALIAN CAPITAL TERRITORY.

No. 3 of 1939.

## AN ORDINANCE

### To amend the **Canberra Community Hospital Ordinances 1938.**

**B**E it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1933*, as follows:—

1.—(1.) This Ordinance may be cited as the *Canberra Community Hospital Ordinance 1939.* Short title and citation.

(2.) The *Canberra Community Hospital Ordinances 1938* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Canberra Community Hospital Ordinance 1938-1939.*

2. Sections eleven and twelve of this Ordinance shall come into operation on the first day of May, One thousand nine hundred and thirty-nine. Commencement.

3. Section five of the Principal Ordinance is amended by inserting at the end thereof the following definition:— Definitions.

“voter” means a person entitled to vote at an election of members of the Board.”

4. Section seven of the Principal Ordinance is amended by omitting the words “and shall prepare a roll of persons entitled to vote,”. Returning Officer.

5. Section eight of the Principal Ordinance is amended by omitting the words “to enrolment and”. Qualifications for enrolment and voting.

6. Section nine of the Principal Ordinance is amended— Preparation of roll.

(a) by omitting the words “preparation of the roll” and inserting in their stead the word “election”;

(b) by omitting from paragraph (a) the word “and” (last occurring);

(c) by inserting in paragraph (b), after the word “thirty-four”, the words “or section thirty-four A”; and

(d) by adding at the end thereof the following paragraph:—

“; and

(c) each Authorizing Officer and the Commissioner of Taxation shall, wherever practicable, indi-

cate, against the name of each male person whose name is included in the list furnished by him, whether that person is married or unmarried.”.

The voting.

7. Section fourteen of the Principal Ordinance is amended—

(a) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“(2.) As soon as practicable after the last day for lodging nominations, the Returning Officer shall send by post to each person whose name appears in the lists furnished to him in pursuance of section nine of this Ordinance, a ballot paper initialled by the Returning Officer, together with an envelope, containing a form of declaration to be signed by that person and addressed to the Returning Officer, for the return of the ballot paper; and, in the case of each male person whose name appears in the lists and who is not shown to be unmarried, shall enclose, for delivery or transmission to the wife (if any) of that person, a ballot paper initialled by the Returning Officer, together with an envelope, containing a form of declaration to be signed by her and providing for **the insertion of the name of her husband**, addressed to the Returning Officer, for the return of the ballot paper.”; and

(b) by omitting sub-section (5.) and inserting in its stead the following sub-sections:—

“(5.) A person shall not mark a vote upon a ballot paper unless—

(a) he is the person to whom the ballot paper has been sent; or

(b) in the case of the wife of such lastmentioned person, she is the person to whom the ballot paper has been delivered or transmitted.

Penalty: Fifty pounds or imprisonment for three months.

“(5A.) A person shall not sign any form of declaration contained on an envelope sent or delivered or transmitted to any person in pursuance of this section—

(a) which he is not entitled to sign; or

(b) containing any statement which is false in any material particular.

Penalty: Fifty pounds or imprisonment for three months.

“(5B.) Any person to whom a ballot paper, together with an envelope containing a form of declaration, has been sent for delivery or transmission to the wife (if any) of that person shall forthwith deliver or transmit the ballot paper and envelope to his wife (if any).

Penalty: Fifty pounds or imprisonment for three months.”.

8. Section sixteen of the Principal Ordinance is amended by <sup>The scrutiny.</sup> omitting paragraph (b) and inserting in its stead the following paragraph:—

“(b) examine the declarations on the envelopes, and after disallowing all envelopes the declarations on which do not bear the signature of the voter and, where required, the name of the voter’s husband, allow the remaining envelopes and extract the ballot papers therefrom;”.

9. Section twenty of the Principal Ordinance is amended— <sup>Ballot papers to be parcelled.</sup>  
 (a) by omitting from paragraph (b) the word “and”; and  
 (b) by omitting paragraph (c) and inserting in its stead the following paragraphs:—

“(c) all the envelopes bearing declarations disallowed at the examination conducted in pursuance of paragraph (b) of section sixteen of this Ordinance; and

(d) all the envelopes bearing declarations from which ballot papers have been extracted in pursuance of that paragraph.”.

10. Sections twenty-five and twenty-six of the Principal Ordinance are repealed and the following sections inserted in their stead:—

“25.—(1.) The Board may appoint—

- (a) a Medical Superintendent and such medical and other officers; <sup>Power of Board to appoint staff.</sup>  
 (b) a Secretary to the Board and such clerical and other officers; and  
 (c) a Matron and such nurses, attendants and other servants,

as are, in the opinion of the Board, necessary for the purposes of the Hospital.

(2.) Persons so appointed shall not be subject to the *Commonwealth Public Service Act 1922-1937* but shall be engaged for such periods and be subject to such conditions as are determined by the Board.

“26. Subject to this Ordinance, the Medical Superintendent shall be responsible for the general administration of the Hospital.”. <sup>General administration of Hospital.</sup>

Members of the  
Defence Forces  
and the  
Hospital Staff  
and their  
dependants.

11. Section thirty-four of the Principal Ordinance is amended—

- (a) by omitting from paragraph (a) of sub-section (1.) the words “and members of the Resident Staff of the Hospital shall” and inserting in their stead the words “shall not”;
- (b) by omitting from paragraph (a) the word “and” (last occurring);
- (c) by inserting, after paragraph (a), the following paragraph:—
  - “(aa) members of the Resident Staff of the Hospital shall be entitled to the benefits conferred by sub-section (1.) of that section irrespective of the length of their residence within the Territory; and”;
- (d) by inserting in paragraph (b) of sub-section (1.), after the word “member” (first occurring), the words “of the Naval, Military or Air Forces of the Commonwealth or of the Resident Staff of the Hospital”;
- (e) by omitting from that paragraph the words “of Ninepence for every week in respect of which he receives income at a rate of not less than Two pounds per week” and inserting in their stead the words “at a rate equivalent to the rate of hospital tax that would have been payable by the member if he were liable to pay hospital tax under the *Hospital Tax Ordinance 1935-1939*”; and
- (f) by omitting from that paragraph the word “sub-section” (last occurring) and inserting in its stead the word “section”.

12. After section thirty-four A of the Principal Ordinance the following section is inserted:—

Persons injured  
in the course  
of their  
employment.

“34B.—(1.) Notwithstanding anything contained in section thirty-two of this Ordinance, a person being an employee or a workman shall not be entitled to any benefits conferred by that section for any period in respect of which the Commonwealth or his employer, as the case may be, is liable to pay the hospital expenses of that person arising out of a personal injury by accident arising out of and in the course of his employment.

(2.) In this section, ‘employee’ and ‘workman’ have the same meaning as in the *Commonwealth Employees’ Compensation Act 1930* and in the *Workmen’s Compensation Ordinance 1931-1938*, respectively.”.

Dated this twenty-sixth day of April, 1939.

GOWRIE

Governor-General.

By His Excellency’s Command,

H. S. FOLL

for Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.