

CANBERRA COMMUNITY HOSPITAL

No. 28 of 1967

An Ordinance to amend the *Canberra Community Hospital Ordinance 1938-1966*.

1.—(1.) This Ordinance may be cited as the *Canberra Community Hospital Ordinance 1967*.* Short title and citation.

(2.) The *Canberra Community Hospital Ordinance 1938-1966*† 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 1938-1967*.

2. This Ordinance shall come into operation on the first day of October, 1967. Commencement.

3. Section 5 of the Principal Ordinance is amended by omitting the definition of “the Board” and inserting in its stead the following definition:— Definitions.

“‘the Board’ means the Canberra Community Hospital Management Board established by this Ordinance;”.

4. Part II. of the Principal Ordinance is repealed and the following Part inserted in its stead:—

“PART II.—THE CANBERRA COMMUNITY HOSPITAL MANAGEMENT BOARD.

“6.—(1.) The body corporate established under the *Canberra Community Hospital Ordinance 1938-1966*, under the name Canberra Community Hospital Board— Constitution of Board.

(a) is preserved and continues in existence as a body corporate under and subject to the provisions of the *Canberra Community Hospital Ordinance 1938-1967*, under the name Canberra Community Hospital Management Board but the corporate identity of the body corporate shall not be affected;

(b) shall have a seal; and

(c) is capable of acquiring, holding or disposing of real and personal property and of suing and being sued.

“(2.) The Board shall consist of a Chairman and four other members, who shall be appointed by the Minister.

* Made on 18 August 1967; notified in the *Commonwealth Gazette* on 25 August 1967.

† Ordinance No. 20, 1938, as amended by No. 26, 1938; No. 3, 1939; Nos. 5, 10 and 17, 1940; Nos. 4 and 15, 1941; No. 12, 1943; No. 6, 1944; No. 9, 1945; No. 6, 1946; Nos. 7 and 10, 1947; No. 11, 1950; No. 7, 1952; No. 13, 1955; No. 4, 1958; No. 11, 1959; No. 21, 1961; No. 9, 1962; No. 8, 1963; No. 18, 1964; and No. 19, 1966.

“ (3.) All Courts, Judges and persons acting judicially shall take judicial notice of the Seal of the Board affixed to any document or notice and shall presume that it was duly affixed.

Term of office of members of the Board.

“ 7.—(1.) Subject to this Ordinance, a member of the Board holds office for a period of three years.

“ (2.) A member of the Board is eligible for re-appointment.

Filling of vacancies.

“ 8. If the office of a member of the Board becomes vacant before the expiration of his term of office, the Minister may appoint a person to fill the vacancy, and a person so appointed holds office for the residue of the term of the member whose office became vacant.

Termination of membership of the Board.

“ 9.—(1.) The Minister may remove a member from office for misbehaviour or incapacity.

“ (2.) If a member—

- (a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors;
- (b) resigns his office by writing under his hand delivered to the Minister;
- (c) is absent, except on leave granted by the Board, from two consecutive meetings of the Board; or
- (d) fails to comply with his obligation under the next succeeding section,

the Minister shall remove him from office.

Disclosure of interest in contracts.

“ 10.—(1.) A member who is directly or indirectly interested in a contract made or proposed to be made by the Board, otherwise than as a member and in common with the other members, of an incorporated company consisting of not less than twenty-five persons, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board.

“ (2.) A disclosure under the last preceding sub-section shall be recorded in the record of the Board's proceedings.

“ (3.) After a member has in pursuance of this section disclosed the nature of his interest in a contract, the member—

- (a) shall not take part in any deliberation or decision of the Board with respect to that contract; and
- (b) shall be disregarded for the purposes of constituting a quorum of the Board for any such deliberation.

Meetings of the Board.

“ 11.—(1.) The Chairman or, if for any reason the Chairman is unable to act, the Deputy Chairman—

- (a) shall convene such meetings of the Board as he considers necessary for the efficient conduct of its business, but so that a meeting is held in each calendar month;
- (b) shall, on receipt of a written request signed by not less than two members of the Board, convene a meeting of the Board; and
- (c) shall give notice in writing of a meeting to each other member of the Board.

“(2.) The Chairman shall preside at a meeting of the Board at which he is present.

“(3.) In the absence of the Chairman from a meeting of the Board, the Deputy Chairman shall preside.

“(4.) At a meeting of the Board, three members of whom one shall be either the Chairman or the Deputy Chairman constitute a quorum.

“(5.) A question arising at a meeting of the Board shall be determined by a majority of votes of the members present and voting.

“(6.) The Board shall keep a record of its proceedings and cause a copy of the record relating to each meeting to be transmitted to the Minister as soon as practicable after the meeting is held.

“12. The members of the Board shall as soon as convenient after the commencement of the *Canberra Community Hospital Ordinance* 1967 and from time to time as occasion requires elect one of their number to be Deputy Chairman of the Board and a Deputy Chairman so elected holds office, unless he sooner resigns or ceases to be a member of the Board, until the expiration of his term of office as a member of the Board that is current at the time of his election as Deputy Chairman.”

Deputy
Chairman of
the Board.

5. Section 28 of the Principal Ordinance is amended by omitting paragraph (a) of sub-section (1.).

Expenditure
by the Board.