

CANBERRA COMMUNITY HOSPITAL.

No. 9 of 1962.

An Ordinance to amend the *Canberra Community Hospital Ordinance 1938-1961.*

Short title and citation.

1.—(1.) This Ordinance may be cited as the *Canberra Community Hospital Ordinance 1962.**

(2.) The *Canberra Community Hospital Ordinance 1938-1961*,† 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 1938-1962.*

2. Section eight of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

“(2.) An elected member of the Board is eligible for re-election.”

General powers and duties of the Board.

3. Section twenty-four of the Principal Ordinance is amended by omitting sub-section (2.).

4. After section twenty-four of the Principal Ordinance the following section is inserted:—

Medical Advisory Committee.

“24A.—(1.) For the purposes of this Ordinance, there shall be a Committee to be known as the Medical Advisory Committee.

“(2.) The Medical Advisory Committee shall consist of five members each of whom shall be a Visiting Medical Officer elected at a meeting of Visiting Medical Officers at which not less than two-thirds of the number, for the time being, of Visiting Medical Officers are present.

“(3.) A member of the Medical Advisory Committee holds office for a period of twelve months and is eligible for re-election.

* Made on 9th August, 1962; notified in the *Commonwealth Gazette* and commenced on 24th August, 1962.

† 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; and No. 21, 1961.

“(4.) The functions of the Medical Advisory Committee are to consider, and make recommendations to the Medical Superintendent on—

- (a) matters concerning the medical and surgical treatment of patients of the Hospital;
- (b) matters concerning hygiene at the Hospital; and
- (c) matters of professional importance to members of the medical profession.”.

5.—(1.) After section twenty-five of the Principal Ordinance the following section is inserted:—

“25A.—(1.) The Board may, on application being made in accordance with the by-laws, appoint—

Visiting and
Honorary
Medical
Officers.

- (a) a person registered as a medical practitioner under the *Medical Practitioners Registration Ordinance* 1930-1962 to be a Visiting Medical Officer at the Hospital;
- (b) a Visiting Medical Officer to be an Honorary Medical Officer at the Hospital;
- (c) a person registered as a dentist under the *Dentists Registration Ordinance* 1931-1959 to be an Honorary Dental Surgeon at the Hospital; and
- (d) an Honorary Dental Surgeon to be an Honorary Dental Radiologist at the Hospital.

“(2.) The duties, obligations and privileges of Visiting Medical Officers, Honorary Medical Officers and Honorary Dental Surgeons are as prescribed by the by-laws.

“(3.) The Board may, after making such inquiries as it thinks the circumstances justify, call upon a Visiting Medical Officer or an Honorary Dental Surgeon to show cause why his appointment should not be revoked.

“(4.) If the Visiting Medical Officer or Honorary Dental Surgeon fails to show cause, the Board may revoke his appointment.

“(5.) A medical practitioner other than—

- (a) the Medical Superintendent;
- (b) a medical practitioner employed by the Board under section twenty-five of this Ordinance;
- (c) a Visiting Medical Officer; or
- (d) a medical practitioner registered under the law of a State or Territory who has been approved by the Medical Superintendent for the purposes of giving special or consultative advice to a Visiting Medical Officer,

is not entitled to attend upon, or render professional services to, an in-patient of the Hospital.”.

(2.) A person who was, immediately before the commencement of this Ordinance, a Visiting Medical Officer at the Hospital, an Honorary Medical Officer at the Hospital, an Honorary Dental Surgeon at the Hospital or an Honorary Dental Radiologist at the Hospital shall be deemed to have been appointed as such under the Principal Ordinance as amended by this Ordinance.

6. Section thirty-two of the Principal Ordinance is repealed and the following sections are inserted in its stead:—

Treatment.

“ 32.—(1.) The Board shall, subject to this Ordinance, provide—

- (a) such accommodation, maintenance, attendances, nursing services and other services for in-patients of the Hospital as the Minister directs;
- (b) such facilities at the Hospital for the performance of surgical operations and medical procedures as the Minister directs;
- (c) such medical, surgical and dental treatment as the Minister directs for in-patients and out-patients of the Hospital, being persons included in classes of persons approved by the Minister for the purposes of this paragraph;
- (d) such attendances, nursing services, medical and surgical treatment and other services as the Minister directs for out-patients of the Hospital, not being persons included in a class of persons approved for the purposes of the last preceding paragraph; and
- (e) such ambulance facilities as the Minister directs.

“ (2.) Medical and surgical treatment for an in-patient who is admitted on the recommendation of a Visiting Medical Officer shall be provided by a Visiting Medical Officer and shall not be provided by the Board except in an emergency or if the in-patient is a person included in a class of persons approved by the Minister for the purposes of paragraph (c) of the last preceding sub-section.

“ (3.) Medical and surgical treatment provided by the Board shall be rendered by a medical officer employed by the Board under section twenty-five of this Ordinance or by a Visiting Medical Officer either in his capacity as an Honorary Medical Officer or on such terms as the Board determines.

Use of facilities for surgical operations and medical procedures.

“ 32A.—(1.) A medical practitioner shall not perform a surgical operation at the Hospital unless the Medical Superintendent has authorized the use by the medical practitioner of the facilities provided at the Hospital for the performance of that surgical operation.

“ (2.) The Medical Superintendent may, for the purposes of this section—

- (a) authorize a medical practitioner to use the facilities provided at the Hospital for the performance of all surgical operations or for the performance of specified surgical operations; or
- (b) authorize a medical practitioner to use the facilities provided at the Hospital for the performance of specified surgical operations only on compliance with such conditions as the Medical Superintendent specifies.

“ (3.) Where the Medical Superintendent has authorized the use by a medical practitioner of the facilities provided at the Hospital for the performance of a surgical operation only on compliance with conditions specified by the Medical Superintendent, the medical practitioner shall not perform the surgical operation except in accordance with those conditions.

“ (4.) Where—

- (a) the Medical Superintendent has refused to authorize the use by a medical practitioner of the facilities provided at the Hospital for the performance of a surgical operation; or
- (b) the Medical Superintendent has authorized a medical practitioner to use those facilities for the performance of specified surgical operations only on compliance with conditions specified by the Medical Superintendent and the medical practitioner is dissatisfied with those conditions,

the Medical Superintendent shall, upon receipt by him of a written request so to do by the medical practitioner, refer the matter for review to a board of review constituted as provided by this section.

“ (5.) A board of review shall consist of—

- (a) a chairman who shall be a medical practitioner appointed by the Minister;
- (b) a medical practitioner nominated by the Medical Advisory Committee; and
- (c) a medical practitioner nominated by the Board.

“ (6.) The Medical Superintendent is not eligible for appointment or nomination as a member of a board of review.

“ (7.) A board of review to which a matter is referred under this section shall make a thorough investigation of the matter and shall consider and give due weight to all considerations relevant to the matter.

“ (8.) A board of review may inform itself on the matter in such manner as it thinks fit without being bound by legal rules of evidence.

“ (9.) A question before a board of review shall be determined according to the opinion of the majority.

“ (10.) After making its investigation, a board of review may confirm, vary or reverse the decision of the Medical Superintendent, and the Medical Superintendent shall give effect to the decision of the board.

“ (11.) In this section, ‘ surgical operation ’ includes a medical procedure.”.

Fees.

7. Section thirty-three of the Principal Ordinance is amended by omitting from sub-section (2.) the word and letter “ paragraph (b) of the last preceding section ” and inserting in their stead the words “ paragraph (c) of sub-section (1.) of section thirty-two of this Ordinance ”.
