

**PART IV**

**THE BILLS INTRODUCED**

BILLS INTRODUCED

(First Week)

10 - 12 August 1976

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THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Crown Lands Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- |  |  |
|--|--|
| 1. This Ordinance may be cited as the <u>Crown Lands Ordinance</u> 1976.   | Short title  |
| 2. The <u>Crown Lands Ordinance</u> is in this Ordinance referred to as the <u>Principal Ordinance</u> .   | Principal Ordinance  |
| 3. Section 103C of the Principal Ordinance is amended by omitting sub-sections (9), (10) and (11) and substituting the following sub-section:<br><br>"(9) A by-law made under sub-section (8) by the trustees of any land so reserved -<br><br>(a) shall be signed by the Chairman of the trustees;<br><br>(b) has no effect as a law of the Territory unless it is confirmed by the Administrator in Council and notice of the confirmation is published in the <u>Gazette</u> ; and<br><br>(c) comes into operation -<br><br>(i) subject to sub-paragraphs (ii), (iii) and (iv), on the day on which notice of the confirmation of the by-law by the Administrator in Council is published in the <u>Gazette</u> ; | Appointment and powers of trustees of land reserved for recreation or amusement of the public, &c. |

- (ii) if a later day is specified in that notice as the day upon which it comes into operation, on that later day;
- (iii) if a later day is specified in a by-law as the day on which it comes into operation, on that later day; or
- (iv) if a by-law, confirmed at the same time as that by-law, provides that it shall come into operation on a day to be fixed by the trustees by notice in the Gazette, on the day so fixed."

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THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Trustee Act and Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- |  |                        |
|--|------------------------|
| 1. This Ordinance may be cited as the <u>Trustee Ordinance 1976</u> .  | Short title            |
| 2. The <u>Trustee Act and Ordinance</u> is in this Ordinance referred to as the Principal Statute.   | Principal Statute      |
| 3. This Ordinance shall come into effect on a date to be fixed by the Administrator by notice published in the <u>Gazette</u> .  | Commencement           |
| 4. (1) Section 4(1)(g) of the Principal Statute is amended by omitting "or".   | Authorized investments |
| (2) Section 4(1) of the Principal Statute is amended by omitting paragraph (h) and substituting the following paragraphs:  |                        |
| "(h) subject to sub-sections (1A), (1B), (1C) and (1F), in the purchase of preference or ordinary stock or shares issued in the Commonwealth of Australia in a company incorporated in a State or Territory of the Commonwealth of Australia, being stock or shares registered in a State or Territory of the Commonwealth of Australia; |                        |
| (i) subject to sub-sections (1A), (1B), (1C), and (1F), in debentures, including debenture stock and bonds and whether constituting a charge on assets or not, issued by any company in which at the time of investment it would have been proper for a trustee to invest in the purchase of ordinary stock or shares;                   |                        |

(j) subject to sub-sections (1B), (1C) and (1F), on deposit or in notes, whether secured or unsecured, at interest either for a fixed term not exceeding 7 years or at call with any company in which at the time of investment it would have been proper for a trustee to invest in the purchase of ordinary stock or shares; or

(k) subject to the terms, if any, of the Administrator's approval given under section 4B, on deposit in or in the shares of an approved building society operating in the Territory.

(3) Section 4 of the Principal Statute is amended by inserting after sub-section (1) the following sub-sections:

"(1A) The stock, shares and debentures mentioned in paragraphs (h) and (i) of sub-section (1) do not include -

- (a) any stock, shares or debentures the price of which is not quoted on a Stock Exchange in a State or Territory of the Commonwealth; or
- (b) any shares or debenture stock not fully paid up, except shares or debenture stock that by the terms of issue are required to be fully paid up within 9 months of the date of issue.

"(1B) An investment under paragraphs (h), (i) or (j) of sub-section (1) shall not be made in any company that -

- (a) has a paid up share capital of less than 2,000,000 dollars; or
- (b) has not paid a dividend in each of the 7 years immediately preceding the calendar year in which the investment is made on all the ordinary stock or shares issued by the company,

but for the purposes of paragraph (b) -

- (c) a company formed to take over the business of another company or other companies is deemed to have paid the requisite dividend in any year in which such a dividend was paid by the other company or the other companies as the case may be;

- (d) where a share is issued in a company after a dividend is declared that dividend shall be deemed to have been paid on that share; and
- (e) where, by the terms of issue of a share, the share does not rank for dividends for a period not exceeding 2 years after issue, all dividends paid on other shares during that period shall be deemed to have been paid on that share.

"(1C) A trustee who proposes to make an investment under a power conferred by paragraphs (h), (i) or (j), of sub-section (1) shall take proper advice as set out in sub-section (1D).

"(1D) Proper advice, which shall be in writing and given by a person described in sub-section (1E), for the purposes of sub-section (1C) shall include -

- (a) the consideration of whether an investment is satisfactory having regard -
  - (i) to the need for ensuring that investments of the trust are so far as circumstances allow sufficiently diversified in respect of the descriptions of investment and, where diversification within a particular description would be prudent, in respect of the investments within that description;
  - (ii) to the suitability to the trust of investments of the description of investments proposed and of the investment proposed as an investment of that description; and
  - (iii) to the value of the trust; and
- (b) the intervals at which advice on each investment should be obtained.

"(1E) Proper advice shall be given by a person who is reasonably believed by the trustee to be qualified by his ability in, and practical experience of, financial matters and may be given by a person who gives it in the course of his employment as an officer or servant.

"(1F) The trustee -

- (a) shall obtain and consider proper advice at the intervals recommended pursuant to sub-section (1D)(b); and
- (b) is not relieved, by the obtaining and consideration of proper advice, of his continual duty to consider and evaluate the investments in the trust.

"(1G) A trustee is not liable for breach of trust by reason only of his continuing to hold an investment which has ceased to be an investment authorized -

- (a) by the trust instrument; or
- (b) by this or any other law.

"(1H) Sub-section (1C) does not apply to one of 2 or more trustees where he is the person giving the advice required by this section to his co-trustee or co-trustees, and does not apply where powers of a trustee are lawfully exercised by an officer or servant competent under sub-section (1E) to give proper advice."

(4) Section 4 of the Principal Statute is amended by omitting sub-section (2) and substituting the following sub-section:

"(2) A trustee may invest in a security mentioned in sub-section (1) notwithstanding -

- (a) that the security may be redeemable and that the price paid therefor by him exceeds the redemption value; or
- (b) if the security is not redeemable, that the price paid therefor by him, exceeds the value thereof at par."

(5) Section 4 of the Principal Statute is amended by omitting sub-section (4) and substituting the following sub-sections:

"(4) Where any security to which sub-section (2) applies is purchased by a trustee after the commencement of the Trustee Ordinance 1976, at a price greater or less than its redemption value, and in terms of the trust the beneficial interest in the income from the security is not vested in the same persons as the beneficial interest in the capital thereof, then, subject to sub-section (4AA) -



- (a) if the purchase price exceeds the redemption value, the trustee shall recoup to the capital out of which the purchase was made, by rateable instalments from the income derived from the security over the period between the date of purchase and the earliest date on which the security can be repaid or redeemed, the amount of the difference, and the amount so recouped to capital from time to time shall be deemed to be received as capital repaid;
- (b) if the redemption value exceeds the purchase price, the amount of the difference shall be distributable as if it were income accruing from day to day over the period between the date of the purchase and the latest date on which the security can be repaid or redeemed, and the trustee may by rateable instalments over the period appropriate or raise out of the capital of the security or out of the capital or other assets subject to the same trusts the amounts required from time to time to be distributed as income, and if the security is repaid or redeemed before the latest date on which the same can be repaid or redeemed, any remaining balance of the difference shall, on the repayment or redemption, immediately become distributed as if it were income then due and payable.

"(4AA) Where the amount to be recouped or deducted from the capital in any year is less than 50 dollars it shall not be necessary for the trustee to comply with sub-section (4)."

5. Section 4A of the Principal Statute is amended by omitting "or into a deposit or other account with a corporation declared under section 4(1)(h)".

Interim  
Investment

6. After section 4A of the Principal Statute the following section is inserted:

"4B.(1) The Administrator may by notice in the Gazette approve an incorporated building society operating in the Territory as a society in which a trustee may invest.

Approval of  
building  
society

"(2) Where the Administrator approves a society under sub-section(1), he may, by notice in writing addressed to the society, at that time or later, impose, and from time to time vary -

- (a) conditions subject to which the approval is given or will continue; and
- (b) a limit on the amount which may be invested by the trustees of a trust fund in the society.

"(3) A building society shall make available to any trustee on request a copy of each notice addressed to it under sub-section (2) and currently then in force."

7. After section 5 of the Principal Statute the following sections are inserted:

Schemes of  
arrangement

"6. Where any securities of a company are subject to a trust, the trustee may -

(a) concur in any scheme or arrangement -

- (i) for, or arising out of, the reconstruction, reduction of capital or liquidation of, the company;
- (ii) for, or arising out of, the issue of shares by the company;
- (iii) for the sale of all or any part of the property and undertaking of a company to another company;
- (iv) for the amalgamation of the company with another company; or
- (v) for the release, modification or variation of any rights, privileges or liabilities attached to the securities or any of them;

(b) accept or carry out any proposal made in writing by or on behalf of another company for the purchase by that other company of any securities in the first-mentioned company, in consideration of the allotment of securities in that other company, whether with or without any other consideration, where -

- (i) the proposal is conditional upon the holders of a proportion (being not less than 75 per centum in value) of such of the securities in the first-mentioned

company as have not already been acquired by that other company agreeing to deal with those securities in accordance with the proposal; and

- (ii) a sufficient number of the holders of the securities in question (including the trustee) agree in writing to deal with the shares in accordance with the proposal,

in like manner as if he was entitled to such securities beneficially, with power to accept any securities or other property of any denomination or description in addition to, or in lieu of, or in exchange for, all or any of the first-mentioned securities; and the trustee shall not be responsible for any loss occasioned by any act or thing so done in good faith; and may retain any securities or other property accepted as in this paragraph provided for any period for which he could have properly retained the original securities; and

- (c) apply capital money subject to a trust in payment of the calls on any shares subject to the same trust.

"7. If any conditional or preferential right to subscribe for any securities in any company is offered to a trustee in respect of any holding in that company or any other company, the trustee may, as to all or any of those securities -

Dealing in rights

- (a) exercise the right and apply capital moneys subject to the trust in payment of the consideration, and retain the securities subscribed for during any period during which he could properly retain the holding in respect of which the right to subscribe was offered;
- (b) renounce the right; or
- (c) assign for the best consideration that can reasonably be obtained (which consideration shall be held as capital money of the trust) the benefit of the right, or the title thereto, to any person, including any beneficiary under the trust,

without being responsible for any loss occasioned by any act or thing so done by him in good faith.

Consent

"8. The powers conferred by sections 6 and 7 shall be exercisable subject to the consent of any person whose consent to a change of investment is required by law or by the instrument (if any) creating the trust."

Transitional

8. Where a trustee, at the commencement of this Ordinance, holds an investment which has become unauthorized by reason of the amendments made by section 4(2), he may continue to hold the investment, provided that, in relation to that investment -

- (a) he obtains the type of advice, including advice as to the intervals at which advice on the investment should be obtained, that a trustee who proposes to make an investment under a power conferred by paragraphs (h), (i) or (j) of section 4(1) of the Principal Statute, as amended by this Ordinance, is required to obtain by virtue of the operation of section 4(1C) of the Principal Statute, as amended by this Ordinance; and
- (b) at those intervals required by the advice, he obtains further advice on the investment while still retained.

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THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Wildlife Conservation and  
Control Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory  
of Australia as follows:

- |   |   |
|---|---|
| 1. This Ordinance may be cited as the <u>Wildlife Conservation and Control Ordinance</u> 1976.  | Short<br>title  |
| 2. The <u>Wildlife Conservation and Control Ordinance</u> is in this Ordinance referred to as the Principal Ordinance.  | Principal<br>Ordinance                                |
| 3. Section 23 of the Principal Ordinance is amended by omitting from paragraph (c) sub-paragraph (i).   | Exempt<br>persons                                     |
| 4. Section 26(1) of the Principal Ordinance is amended by inserting after "exempt person" the words "or the holder, or the employee of the holder, of a miner's right". | Name and<br>address<br>may be<br>demanded<br>by owner |
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THE NORTHERN TERRITORY OF  
AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the Housing Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- |  |                                 |
|--|---------------------------------|
| 1. This Ordinance may be cited as the <u>Housing Ordinance (No.2)</u> 1976.  | Short<br>title                  |
| 2. The <u>Housing Ordinance</u> is in this Ordinance referred to as the Principal Ordinance.   | Principal<br>Ordinance          |
| 3. Section 17(1) of the Principal Ordinance is amended -   | Advances<br>by the<br>Treasurer |
| (a) by omitting from paragraph (a)(i) all words after "town of Alice Springs," and substituting "or is situated elsewhere than in the town of Alice Springs and was acquired before 3 July, 1962 - an amount of 1000 dollars; and";  |                                 |
| (b) by omitting from paragraph (a)(ii) all words from and including "Alice Springs" and substituting "Alice Springs and was acquired on or after 3 July 1962 - an amount of 2000 dollars,"; and  |                                 |
| (c) by omitting from paragraph (e) "or 2000 dollars if the dwelling is situated elsewhere than in the town of Alice Springs -" and substituting ", or is situated elsewhere than in the town of Alice Springs and was acquired before 3 July 1962, or 2000 dollars if the dwelling is situated elsewhere than in the town of Alice Springs and was acquired on or after 3 July 1962 - ". |                                 |

THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Mining Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Mining Ordinance 1976. Short title
2. The Mining Ordinance is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 7 of the Principal Ordinance is amended by omitting from the definition of "crown land" the words "and timber reserves" and substituting ", timber reserves, reserves for stock routes and travelling stock, reserves for the quarantining of stock". Definitions



THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Fisheries Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- |   |                              |
|---|------------------------------|
| 1. This Ordinance may be cited as the <u>Fisheries Ordinance</u> 1976.  | Short title                  |
| 2. The <u>Fisheries Ordinance</u> is in this Ordinance referred to as the <u>Principal Ordinance</u> .  | Principal Ordinance          |
| 3. Section 6(4) of the Principal Ordinance is amended by omitting "the form contained in the Second Schedule" and substituting "a form approved by the Chief Inspector and containing the photograph (full face) and the signature of the inspector, verified by the signature of the Chief Inspector". | Appointment of Inspectors    |
| 4. Section 8A(6) of the Principal Ordinance is amended by omitting "sub-section (3)" and substituting "sub-section (4)".  | Powers of search and seizure |
| 5. The Second Schedule to the Principal Ordinance is repealed.  | Repeal of Second Schedule    |



THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL

for

AN ORDINANCE

For the Validation of Proclamations relating to  
Counties, Hundreds, Towns, Town Lands and  
Reserved Lands constituted, set apart or  
reserved under Legislation later repealed

**B**E it ordained by the Legislative Assembly for the Northern Territory  
of Australia as follows:

1. This Ordinance may be cited as the Crown  
Lands (Validation of Proclamations) Ordinance 1976.

Short  
title

2.(1) Notwithstanding the repeal of a law that  
was in force in the Northern Territory under which a  
proclamation described in the Schedule was made, a  
county, hundred or town constituted by such a  
proclamation or lands set apart or reserved as town  
lands or reserved lands by such a proclamation shall,  
to the extent indicated in the third column of the  
Schedule, be deemed to have been, and, subject to  
sub-section (2), to be, so constituted, set apart or  
reserved, as the case may be, according to the tenor  
of the proclamation as if the proclamation were made  
under the Crown Lands Ordinance and that Ordinance was  
in force on the date of the proclamation.

Validation  
of  
procla-  
mations

(2) The constitution, setting apart or  
reservation by virtue of sub-section (1) of a county,  
hundred, town, town lands or reserved lands by a  
proclamation described in the Schedule has effect  
subject to -

(a) the Crown Lands Ordinance; and

(b) any proclamation described in that Schedule  
that amends or affects that first-mentioned  
proclamation.

(3) The reservation by virtue of sub-section (1) of reserved lands also has effect subject to any lease existing immediately before the date of commencement of this Ordinance and granted over the reserved lands or part of the reserved lands.

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THE SCHEDULE

Proclamations constituting, &c., Counties, Hundreds, Towns, Town Lands and Reserves

1 COUNTIES

Date of Proclamation	Where Gazetted	Extent to which Proclamation validated
6 August 1884	The South Australian Government Gazette No. 37; 7 August 1884	Constituting, and establishing boundaries of, County of Palmerston

2 HUNDREDS

12 September 1871	The South Australian Government Gazette No. 40; 14 September 1871	Constituting, and establishing boundaries of, Hundred of Ayers  Constituting, and establishing boundaries of, Hundred of Bagot  Constituting, and establishing boundaries of, Hundred of Blyth
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6 August 1884	The South Australian Government Gazette No. 37; 7 August 1884	Constituting, and establishing boundaries of, Hundred of Cavenagh
12 September 1871	The South Australian Government Gazette No. 40; 14 September 1871	Constituting, and establishing boundaries of, Hundred of Colton
		Adjusting boundaries of Hundred of Colton
		Constituting, and establishing boundaries of, Hundred of Finniss
		Constituting, and establishing boundaries of, Hundred of Glyde
		Constituting, and establishing boundaries of, Hundred of Goyder
		Constituting, and establishing boundaries of, Hundred of Guy
		Constituting, and establishing boundaries of, Hundred of Hart
		Constituting, and establishing boundaries of, Hundred of Howard
6 August 1884	The South Australian Government Gazette No. 37; 7 August 1884	Adjusting boundaries of Hundred of Howard

12 September  
1871

The South Australian Government  
Gazette No. 40; 14  
September 1871

Constituting, and  
establishing  
boundaries of,  
Hundred of  
Hughes

Constituting, and  
establishing  
boundaries of,  
Hundred of  
Hutchison

Constituting, and  
establishing  
boundaries of,  
Hundred of Milne

Constituting, and  
establishing  
boundaries of,  
Hundred of Strang-  
ways

Constituting, and  
establishing  
boundaries of,  
Hundred of Water-  
house

3 September  
1879

The South Australian Government  
Gazette No. 36;  
4 September 1879

Constituting, and  
establishing  
boundaries of,  
Hundred of Paton

Constituting, and  
establishing  
boundaries of,  
Hundred of Sander-  
son

27 August  
1883

The South Australian Government  
Gazette No. 41;  
6 September 1883

Constituting, and  
establishing  
boundaries of,  
Hundred of Bray

Constituting, and  
establishing  
boundaries of,  
Hundred of Parsons

15 July 1885	The South Australian Government Gazette No. 31; 16 July 1885	Constituting, and establishing boundaries of, Hundred of Hawkshaw
1 October 1913	The Commonwealth Government Gazette No. 67; 11 October 1913	Adjusting boundaries of Hundred of Hawkshaw
		Constituting, and establishing boundaries of, Hundred of Berinka

## 3 TOWNS

24 October 1884	The South Australian Government Gazette No. 49; 30 October 1884	Reserving and designating Town of Burrundie
4 September 1885	The South Australian Government Gazette No. 39; 10 September 1885	Reserving and designating Town of Borroloola
17 March 1887	The South Australian Government Gazette No. 12; 17 March 1887	Setting apart a site for a new town to be called the "Town of Urapunga"
28 November 1888	The South Australian Government Gazette No. 51; 29 November 1888	Setting apart a site for a new town to be called the "Town of Stuart"
23 January 1889	The South Australian Government Gazette No. 4; 24 January 1889	Setting apart a site for a new town to be called the "Town of Playford"

19 March 1889	The South Australian Government Gazette No. 14; 21 March 1889	Setting apart a site for a new town to be called "Union Town"
13 April 1898	The South Australian Government Gazette No. 19; 5 May 1898	Constituting, and defining the boundaries of, a new town to be called "Brocks Creek"
3 March 1911	The Commonwealth Government Gazette No. 18; 18 March 1911	Changing name of Town of Palmerston to Darwin
30 June 1926	The Commonwealth Government Gazette No. 62; 1 July 1926	Constituting, and defining the boundaries of, a new town to be called the "Town of Katherine"
30 November 1927	The Commonwealth Government Gazette No. 133; 1 December 1927	Extending the area of the Town of Katherine
23 May 1928	The Commonwealth Government Gazette No. 48; 24 May 1928	Constituting, and defining the boundaries of, a new town to be called the "Town of Mataranka"

#### 4 TOWN LANDS

17 March 1887	The South Australian Government Gazette No. 12; 17 March 1887	Reserving and designating town lands for the Town of Urapunga
28 November 1888	The South Australian Government Gazette No. 51; 29 November 1888	Reserving and designating town lands for the Town of Stuart

23 January 1889	The South Australian Government Gazette No. 4; 24 January 1889	Reserving and designating town lands for the Town of Playford
19 March 1889	The South Australian Government Gazette No. 14; 21 March 1889	Reserving and designating town lands for Union Town
30 June 1926	The Commonwealth Government Gazette No. 62; 1 July 1926	Setting apart town lands for the Town of Katherine
30 November 1927	The Commonwealth Government Gazette No 133; 1 December 1927	Setting apart town lands in extended area of Town of Katherine
23 May 1928	The Commonwealth Government Gazette No 48; 24 May 1928	Setting apart town lands for the Town of Mataranka

#### 5 RESERVES

5 February 1919	The Commonwealth Government Gazette No. 18; 6 February 1919	Proclaiming light-house reserve, Cape Don
9 April 1919	The Commonwealth Government Gazette No. 42; 10 April 1919	Proclaiming public cemetery reserve, Darwin
14 August 1919	The Commonwealth Government Gazette No. 103; 21 August 1919	Proclaiming water conservation, and Police Reserve, Anthony's Lagoon

Classifi-  
cation of  
hospital  
beds

5. Section 6 of the Principal Ordinance is amended-

- (a) by omitting from sub-section (1) "intermediate bed." and substituting "intermediate bed or a private bed.";
- (b) by inserting in sub-section (2) after "intermediate bed" the words "or a private bed"; and
- (c) by adding at the end the following sub-section:

"(3) The Chief Medical Officer shall not classify a bed as a private bed unless it is the only bed in the room in which it is located."

Charges  
for  
hospital-  
ization

6. Section 6A of the Principal Ordinance is amended -

- (a) by omitting sub-section (1) and substituting the following sub-section:

"(1) Where an eligible person occupying a standard bed -

- (a) is not a privately insured person; and

- (b) is treated by a salaried medical practitioner,

no charge shall be made for the accommodation provided for, and the maintenance and treatment received by, that person in that bed.";

- (b) by omitting sub-section (2) and substituting the following sub-section -

"(2) The regulations may prescribe -

- (a) the charges to be made; and

- (b) the conditions under which those charges shall be made,

in the case of an eligible person occupying -



(c) a standard bed otherwise than as referred to in sub-section (1);

(d) an intermediate bed; or

(e) a private bed."; and

(c) by omitting sub-section (3) and substituting the following sub-section:

"(3) The regulations may prescribe the charges to be made in the case of a person who is not an eligible person occupying a standard intermediate or private bed and for the medical services he receives."

7. Section 6B of the Principal Ordinance is repealed.

8. Section 7 of the Principal Ordinance is repealed and the following section substituted:

"7.(1) A charge payable or an expense recoverable under this Ordinance or the regulations for services rendered or expenses incurred which is not recoverable under the Act may be recovered as a debt due to the Commonwealth.

Charges, expenses recoverable as debt except in certain cases

"(2) The Director-General may exempt any of the following persons from a payment due under sub-section (1):

(a) a person, or the dependant of a person, who is receiving a pension under the Social Services Act 1947;

(b) a person, or the dependant of a person, who is receiving an allowance under the Tuberculosis Act 1948, or a person who is suspected to be suffering from tuberculosis;

(c) a person who is suffering or who is suspected to be suffering from an infectious disease within the meaning of the Public Health (Infectious and Notifiable Diseases) Regulations made under the Public Health Ordinance;

(d) a person who is in necessitous circumstances;  
and

(e) a person included in a class of persons  
designated by the Director-General.

"(3) Where the Director-General exempts a person  
under sub-section (2) no charge shall be levied against  
that person."

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