

New Zealand.

REPEALED See Act. 19 No.



ANALYSIS.

- Title.
- | | |
|--|---|
| <p>1. Short Title.</p> <p>2. Liability of Hospital Board for negligence of members of its professional staff.</p> <p>3. Hospital Boards to provide ambulance services.</p> | <p>4. Hospital Boards authorized to make payments to nurses contracting pulmonary tuberculosis.</p> <p>5. Section 152 of principal Act (as to regulations for benefit of nurses) amended. Repeal.</p> |
|--|---|

1936, No. 50.

AN ACT to amend the Hospitals and Charitable Institutions Act, 1926. [31st October, 1936.]

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, 1936, and shall be read together with and deemed part of the Hospitals and Charitable Institutions Act, 1926 (hereinafter referred to as the principal Act).

2. (1) Where damage is suffered by any person as a result of any wilful or negligent act or omission of any medical practitioner, dentist, matron, nurse, midwife, attendant, or other person employed or engaged (whether in an honorary capacity or otherwise) by any Board, and acting in the course of his or her employment or engagement, an action in respect of the damage shall lie against the Board by or on behalf of the person suffering the damage, and in any such case the Board shall be liable in the same manner and to the

Short Title.

See Reprint of Statutes, Vol. III, p. 725

Liability of Hospital Board for negligence of members of its professional staff.

same extent as if the damage had been caused by an act or omission of a servant of the Board acting in the course of his employment.

(2) Every such action shall be commenced within six months after the date of the act or omission complained of, and not afterwards, unless, in the opinion of the Court, the failure to commence the action within the time hereby limited was occasioned by mistake, or by absence from New Zealand, or by any other reasonable cause.

(3) Nothing in this section shall be deemed to affect any right of action against the person guilty of the act or omission complained of.

3. Section seventy-seven of the principal Act is hereby amended by omitting from paragraph (b) of subsection one the words "or treatment", and substituting the words "treatment, and removal to any hospital or other place".

4. (1) Section eighty-five of the principal Act is hereby amended by adding the following paragraph:—

"(m) Making grants of such amounts and in such manner as may be approved by the Minister to persons who, while employed by the Board on nursing duties, or within twelve months after being so employed, contract pulmonary tuberculosis."

(2) The authority conferred by the last preceding subsection may be exercised for the benefit of any person, notwithstanding that the disease therein referred to may have been contracted before the passing of this Act.

5. (1) Section one hundred and fifty-two of the principal Act, as amended by section seventeen of the *Hospitals and Charitable Institutions Amendment Act, 1932*, is hereby further amended by omitting from subsection one all words after the words "the welfare of nurses".

(2) For the purposes of the said section one hundred and fifty-two, the term "nurses" includes nurses engaged in any hospital under the control of a Hospital Board or engaged in any private hospital within the meaning of Part III of the principal Act.

(3) Section seventeen of the *Hospitals and Charitable Institutions Amendment Act, 1932*, is hereby repealed.

AMD. 19
No.

REV. 19
No. s.

Hospital
Boards to
provide
ambulance
services.

See Reprint
of Statutes,
Vol. III, p. 754

Hospital
Boards
authorized
to make
payments
to nurses
contracting
pulmonary
tuberculosis.
Ibid., p. 761

Section 152
of principal
Act (as to
regulations
for benefit
of nurses)
amended.
Ibid., p. 785
1932, No. 22

Repeal.