



ANNO TRICESIMO QUARTO

# ELIZABETHAE II REGINAE

A.D. 1985

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No. 53 of 1985

An Act to amend the Institute of Medical and Veterinary Science Act,  
1982.

[Assented to 30 May 1985]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Institute of Medical and Veterinary Science Act Amendment Act, 1985". Short title.

(2) The Institute of Medical and Veterinary Science Act, 1982, is in this Act referred to as "the principal Act".

2. (1) This Act shall come into operation on a day to be fixed by proclamation. Commencement.

(2) The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

3. Section 14 of the principal Act is amended—

(a) by inserting after paragraph (f) of subsection (1) the following paragraphs:

(fa) to undertake the commercial exploitation of knowledge acquired by the Institute in the course of conducting research;

(fb) to produce and sell instruments or other equipment for use in—

- (i) the provision of medical diagnostic services;
- (ii) the teaching of medical science;

and

(iii) scientific research;

(fc) to provide consultant services;;

Amendment of  
s. 14—  
Functions and  
powers of the  
Institute.

(b) by inserting after paragraph (a) of subsection (2) the following paragraph:

(ab) promote the formation of a company under the *Companies (South Australia) Code*;

and

(c) by striking out paragraph (b) of subsection (2) and substituting the following paragraph:

(b) delegate any of its powers, functions, duties or responsibilities—

(i) to a committee, a member of the council, an officer or employee of the Institute or the Health Commission, or an officer of the Public Service of the State;

or

(ii) in the case of a function referred to in subsection (1) (fa), (fb) or (fc)—to a company formed in pursuance of paragraph (ab);

Amendment of  
s. 18—  
Superannuation,  
accrued leave  
rights, etc.

4. Section 18 of the principal Act is amended by striking out from paragraph (b) of subsection (1) the passage “full-time”.

Repeal of s. 21  
and substitution  
of new section.

5. Section 21 of the principal Act is repealed and the following section is substituted:

Accounts, audit,  
etc.

21. (1) The Institute shall cause proper accounts to be kept of its financial affairs and those of any company to which it has delegated functions under this Act.

(2) The accounts of the Institute and of such a company shall be audited at least once in every year by the Auditor-General.

(3) For the purposes of the audit, the Auditor-General shall have and may exercise, in relation to the accounts of the Institute and of such a company and the officers and employees of the Institute and such a company, the same powers as are vested in the Auditor-General by virtue of the Audit Act, 1921, in relation to public accounts and accounting officers.

Amendment of  
s. 23—  
Financial  
provision.

6. Section 23 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “The moneys” and substituting the passage “Subject to subsection (2), the moneys”;

and

(b) by inserting after its present contents as amended by this section (now to be designated as subsection (1)) the following subsection:

(2) Moneys received by the Institute in respect of the performance of prescribed functions shall not be paid into the Consolidated Account (unless so directed by the Treasurer) but may be applied by the Institute, without appropriation

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by Parliament, for the purpose of performing its functions and discharging its duties and responsibilities under this Act.

7. Section 31 of the principal Act is amended by inserting after subsection the following subsection:

Amendment of  
s. 31—  
Annual report.

(1a) The report must cover the activities of any company to which the Institute has delegated functions in pursuance of this Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor