No. 122 of 1974

An Act to amend the Public Charities Funds Act, 1935-1965.

[Assented to 5th December, 1974]

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 “Public Charities Funds Act Amendment Act, 1974”.

(2) The Public Charities Funds Act, 1935-1965, is hereinafter referred to as “the principal Act”.

(3) The principal Act, as amended by this Act, may be cited as the “Public Charities Funds Act, 1935-1974”.

2. Section 7 of the principal Act is amended by striking out from paragraph (b) of subsection (1) the passage “twenty shillings in the pound” and inserting in lieu thereof the passage “one hundred cents in the dollar”.

3. Section 8 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsections:—

(1) A commissioner shall be entitled to a fee under this section which shall be payable to him at such rate as the Governor may from time to time determine.

(1a) Unless and until the Governor determines otherwise in pursuance of subsection (1) of this section, the commissioners shall be entitled to be paid such fees under this section as are appropriate and have been prescribed for the time being by regulation made under the Statutory Salaries and Fees Act, 1947.

4. Section 9 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsections:—

(1) In addition to the fee to which he is entitled under section 8 of this Act a commissioner shall be entitled to a fee under this section which shall be payable to him at such rate as the Governor may from time to time determine.
(1a) Unless and until the Governor determines otherwise in pursuance of subsection (1) of this section, the commissioners shall be entitled to be paid such fees under this section as are appropriate and have been prescribed for the time being by regulation made under the Statutory Salaries and Fees Act, 1947.

5. Section 14 of the principal Act is amended—

(a) by inserting after subsection (1) the following subsection:—

(1a) Notwithstanding that any power in that behalf has not been or is not expressly conferred on them by any disposition, instrument or otherwise, the commissioners shall have, and be deemed always to have had, power to accept, take up, subscribe for or otherwise acquire debentures or shares or stock issued by any body corporate in which they already hold debentures, shares or stock for any of the purposes authorized by this Act, if the debentures, shares or stock so accepted, taken up, subscribed for or acquired by them have been or are issued by the body corporate by way of bonus or by way of the exercise of rights or options to take up, subscribe for or acquire the same, by virtue of such holdings; and, for the purpose of exercising any of the foregoing powers the commissioners shall have, and be deemed always to have had, power to invest any moneys held by them for the use or benefit of any general or special trust or for any other purposes of this Act accordingly.;

and

(b) by striking out from subsection (3) the passage “Sections 14 and 15 of The Trustee Act, 1893,” and inserting in lieu thereof the passage “Sections 20 and 21 of the Trustee Act, 1936, as amended.”.

6. Section 23 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “known as ‘The Adelaide Hospital Endowment Fund’ for the benefit of the Adelaide Hospital” and inserting in lieu thereof the passage “formerly known as ‘The Adelaide Hospital Endowment Fund’ and now known as ‘The Royal Adelaide Hospital Endowment Fund’ for the benefit of the hospital formerly known as the Adelaide Hospital and now known as the Royal Adelaide Hospital”;

and

(b) by striking out from paragraph (a) of subsection (1) the passage “Adelaide Hospital” and inserting in lieu thereof the passage “hospital formerly known as the Adelaide Hospital and now known as the Royal Adelaide Hospital”.

7. Section 24 of the principal Act is amended by striking out the passage “Adelaide Hospital” secondly occurring and inserting in lieu thereof the passage “hospital formerly known as the Adelaide Hospital and now known as the Royal Adelaide Hospital”.

Amendment of principal Act, s. 14.—Powers of investment.

Amendment of principal Act, s. 23.—Power to establish endowment fund for Royal Adelaide Hospital.

Amendment of principal Act, s. 24.—Objects of fund.
8. Section 26a of the principal Act is amended—

(a) by striking out the passage “Parkside Mental Hospital” and inserting in lieu thereof the passage “hospital formerly known as the Parkside Mental Hospital and now known as the Glenside Hospital”;

and

(b) by striking out the passage “Northfield Mental Hospital or the Enfield Receiving House” and inserting in lieu thereof the passage “hospitals formerly known as the Northfield Mental Hospital and the Enfield Receiving House and now known as the Hillcrest Hospital and the Enfield Hospital respectively”.

9. The second schedule to the principal Act is repealed and re-enacted as follows:—

THE SECOND SCHEDULE

Institutions that are public charitable institutions for the purposes of this Act
Royal Adelaide Hospital
The Queen Elizabeth Hospital
The Queen Elizabeth Hospital “Mareeba” Rehabilitation Centre
Modbury Hospital
Mount Gambier Hospital
Port Augusta Hospital
Port Lincoln Hospital
Port Pirie Hospital
Wallaroo Hospital
Whyalla Hospital
Glenside Hospital and Receiving Houses—Paterson House
Glenside Hospital and Receiving Houses—Cleland House
Glenside Hospital and Receiving Houses—Downey House
Hillcrest Hospital and Receiving Houses—Litchfield House
Hillcrest Hospital and Receiving Houses—Howard House
Strathmont Centre
Child Guidance Clinic, Adelaide
Beaufort Clinic, Woodville
Carramar Clinic, Parkside
Mitchell House Clinic, Prospect
St. Corantyn Psychiatric Clinic, Adelaide
Diagnostic and Assessment Clinic, Toorak Gardens
Palm Lodge Hostel, College Park
Newton Lodge Hostel, Newton
Marden Hill Hostel, Marden
Day Centre, Torrensville
Day Centre, Toorak Gardens
Magill Home (under control of Director-General of Community Welfare).

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

M. L. OLIPHANT, Governor