

NATIONAL HEALTH.

No. 77 of 1963.

An Act to amend the provisions of the *National Health Act 1953–1962* relating to the Special Accounts of Hospital Benefits Organizations.

[Assented to 31st October, 1963.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *National Health Act 1963*. Short title and citation.

(2.) The *National Health Act 1953–1962** is in this Act referred to as the Principal Act.

* Act No. 95, 1953, as amended by No. 68, 1955; Nos. 55 and 95, 1956; No. 92, 1957; No. 68, 58; No. 72, 1959; No. 16, 1961; and No. 82, 1962.

(3.) The Principal Act, as amended by this Act, may be cited as the *National Health Act 1953–1963*.

Commence-
ment.

2. This Act shall come into operation on the first day of January, One thousand nine hundred and sixty-four.

Interpretation.

3. Section sixty-six of the Principal Act is amended by omitting from sub-section (2.) the words “sections eighty-two B, eighty-two C” and inserting in their stead the words “sections eighty-two C, eighty-two CA”.

Repeal of
section
eighty-two B.

4.—(1.) Section eighty-two B of the Principal Act is repealed.

(2.) A registered hospital benefits organization that established a special account before the commencement of this Act shall be deemed to be authorized by Division 2 of Part VI. of the Principal Act, as amended by this Act, to make such adjustments to the special account as the Director-General approves or requires in relation to contributions received in respect of persons in relation to whom the section repealed by this section applied, being contributions relating wholly or partly to periods before the commencement of this Act, and if such an organization has failed to make any such adjustment as required by the Director-General, the organization is not entitled to further payments under section eighty-two L of the Principal Act, as amended by this Act, until the adjustment is made.

5. After section eighty-two C of the Principal Act the following section is inserted:—

Certain
contributors
may be made
special account
contributors.

“ 82CA.—(1.) Where—

(a) the rules of a registered organization provide for a maximum number of days of hospital treatment during a year or other specified period in respect of which an ordinary contributor is entitled to hospital fund benefit; and

(b) hospital fund benefit becomes payable to an ordinary contributor in respect of any days that fall within the last twenty-one days of that maximum number of days,

the organization may elect to treat the contributor as having become a special account contributor on any day that is included in the days in respect of which the benefit is so payable and, if it so elects, shall, subject to section eighty-two G of this Act, credit to its special account the contributions by or on behalf of that contributor in respect of the week in which that day is included and all subsequent weeks.

“(2.) The regulations may provide that the last preceding sub-section shall operate as if there were substituted for the reference to twenty-one days a reference to such lesser number of days as is prescribed.”.

6. Section eighty-two D of the Principal Act is amended by inserting after sub-section (1.) the following sub-section:—

Payment of benefits.

“(1A.) The reference in the last preceding sub-section to hospital fund benefit shall be read, in relation to any period of hospital treatment, as not including so much (if any) of the hospital fund benefit in respect of that period as exceeds the amount (if any) by which the sum of the gross fees and extra charges incurred in respect of the contributor during that period is greater than the sum of—

- (a) the amount of Commonwealth benefit payable under Division 3 of Part V. of this Act in respect of that period;
- (b) any amount of hospital fund benefit paid or payable in respect of the contributor by any other registered hospital benefits organization in respect of that period; and
- (c) any amount paid or payable by the same or any other registered hospital benefits organization, or by a registered medical benefits organization, in respect of the extra charges.”.

7. Section eighty-two E of the Principal Act is amended—

- (a) by adding at the end of paragraph (h) of sub-section (1.) the word “and”;
- (b) by omitting paragraph (i) of that sub-section;
- (c) by omitting from paragraph (j) of that sub-section the word “and”;
- (d) by omitting paragraph (k) of that sub-section; and
- (e) by adding at the end thereof the following sub-section:—

Rules of organization establishing special account to contain certain provisions.

“(3.) If the rules of a registered organization that has established a special account do not comply with the requirements that, under sub-section (1.) of this section, for the time being apply in relation to an organization desiring to establish a special account, the registered organization ceases to be entitled to payments under section eighty-two L of this Act.”.

8. Section eighty-two G of the Principal Act is amended by omitting sub-section (3.).

Special account contributor may be made an ordinary contributor in certain cases.