



ANNO VICESIMO SECUNDO

GEORGII V REGIS.

A.D. 1931.

No. 2035.

An Act to make provision for the Payment of Charges of Public Hospitals for the treatment of Persons injured by reason of the use of Motor and other Vehicles.

[Assented to, December 2nd, 1931.]

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

1. This Act may be cited as the "Public Hospitals (Charges) Act, 1931," and shall come into force on a day to be fixed by proclamation. Short title and commencement.

2. In this Act—

Interpretation.

"Inspector-General" means the Inspector-General of Hospitals:

"Insurance company" means any person or association of persons, whether corporate or unincorporate, carrying on insurance business in the State:

"Public Hospital" means—

(a) the Adelaide Hospital:

(b) any place declared to be a public hospital pursuant to the Hospitals Act, 1867:

(c) any hospital in respect of which the Governor has declared that the Rating for Hospitals Purposes Act, 1919, shall apply:

(d) any other hospital which is under the management of the Inspector-General:

"Vehicle"

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“ Vehicle ” includes motor vehicle, any vehicle run upon a railway or tramway, and any other kind of vehicle.

Duty to notify
accident at police
station.

3. (1) In every case where, owing to the presence of a vehicle, an accident occurs involving personal injury to another person, the driver of the vehicle shall, within twenty-four hours of the occurrence of the accident, report the accident at a police station or to a member of the police force, and if he fails to do so, he shall be guilty of an offence.

(2) This section shall not apply to any vehicle of the South Australian Railways Commissioner or the Municipal Tramways Trust.

Duty of insurance
company to furnish
information to
Inspector-General.

4. (1) In every case where notice of such an accident as is referred to in section 3 is given to an insurance company, the insurance company shall, within twenty-four hours of the receipt of such notice, give to the Inspector-General notice thereof in writing containing the prescribed particulars thereof, and if the insurance company fails to do so, the insurance company shall be guilty of an offence. The said notice of such particulars may be given by post.

(2) The Inspector-General shall supply to insurance companies printed forms for the purpose of supplying the said particulars.

(3) The Inspector-General, and every officer in the Department of the Inspector-General, shall maintain the secrecy of all such particulars, and shall not, save for the purposes of any proceedings under this Act, communicate any such particulars to any person or reveal the same in any way, and if any person contravenes any provision of this subsection he shall be guilty of an offence.

Powers of Inspector-
General.

5. (1) The Inspector-General may give to any insurance company notice in writing that, arising out of such an accident as aforesaid, any person has been treated in a public hospital in respect of personal injury to such person. The said notice may specify the amount payable to the Inspector-General by reason of the treatment of such person, and may require that payment be made as provided by this section. Any such notice may be given by registered post, or by delivering the same at the principal place of business of the company.

(2) If after the giving of any such notice any payment is made by the insurance company under a policy of insurance in respect of the death or bodily injury to such person, the insurance company shall pay to the Inspector-General such portion of the said amount payable to the Inspector-General as does not exceed Twenty-six Pounds Five Shillings, and every such payment shall be deemed to be a payment to such person under the said policy and to be in discharge of the liability of the insurance company under such policy.

(3) If after the giving of notice as aforesaid the insurance company makes any payment under such policy without making the required payment to the Inspector-General, the amount required by this section to be paid to the Inspector-General may in any Court of competent jurisdiction be recovered by the Inspector-General from the insurance company as a debt due to the Inspector-General from the insurance

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insurance company. No such proceedings shall be deemed to affect any right of the Inspector-General to recover such amount from any other person liable to pay the same.

(4) If any payment made by an insurance company to the Inspector-General pursuant to this section is not equal to the total of the amount due to the Inspector-General in respect of the treatment as aforesaid, the balance of such amount shall be payable to the Inspector-General by the persons liable to pay the same.

6. (1) In any case where arising out of such an accident as aforesaid, any person has been treated in a public hospital in respect of personal injury to such person, the Inspector-General may give notice to any person stating the amount payable to the Inspector-General by reason of the treatment of such injured person, and requiring that payment be made as provided by this section. Any such notice may be given by registered post or by delivering the same to such person.

Proceedings when
no insurance
policy in force.

(2) If after the giving of any such notice to any person any payment is made by such person by way of damages or compensation for the death or bodily injury to such injured person, the said person shall pay to the Inspector-General such portion of the said amount payable to the Inspector-General as does not exceed Twenty-six Pounds Five Shillings, and every such payment shall be deemed to be a payment to such injured person by such other person.

(3) If after the giving of notice as aforesaid to any person, such person makes any payment as aforesaid to such injured person without making the required payment to the Inspector-General, the amount required by this section to be paid to the Inspector-General may, in any Court of competent jurisdiction, be recovered by the Inspector-General from such person as a debt due to the Inspector-General from such person. No such proceedings shall be deemed to affect any right of the Inspector-General to recover such amount from any other person liable to pay the same.

(4) If any payment made by any person to the Inspector-General pursuant to this section is not equal to the total of the amount due to the Inspector-General in respect of the treatment as aforesaid, the balance of such amount shall be payable to the Inspector-General by the persons liable to pay the same.

(5) This section shall apply to the South Australian Railways Commissioner and the Municipal Tramways Trust.

7. Any person or insurance company guilty of an offence against this Act shall be liable to a penalty not exceeding Twenty Pounds.

Offences.

8. All proceedings for offences against this Act shall be disposed of summarily.

Summary pro-
ceedings.

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

A. HORE-RUTHVEN, Governor.