

# NATIONAL HEALTH SERVICE.

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No. 85 of 1949.

An Act to amend the *National Health Service Act 1948*.

[Assented to 29th October, 1949.]

**B**E it enacted by the King'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 Service Act 1949*. Short title and citation.

(2.) The *National Health Service Act 1948*\* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *National Health Service Act 1948–1949*.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

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\* Act No. 81, 1948.

3. Section six of the Principal Act is repealed and the following section inserted in its stead :—

Scheme of  
sickness benefits  
or medical  
services.

“ 6.—(1.) The regulations may make provision—

- (a) for or in relation to the establishment, maintenance, conduct and operation of a scheme for the provision of sickness benefits or medical services by way of payments by the Commonwealth in respect of professional services rendered by medical practitioners ;
- (b) in relation to any arrangements made by the Minister under sub-section (4.) of this section ; and
- (c) in relation to matters incidental to a scheme established, or arrangements made, under this section.

“ (2.) Without prejudice to the generality of the last preceding sub-section, a scheme established under this section may—

- (a) define the circumstances in which persons shall, or shall not, be entitled to benefits or services under the scheme ;
- (b) provide for participation in the scheme by medical practitioners in respect of particular classes of professional services ; and
- (c) provide that the maximum fees to be charged or received by medical practitioners participating in the scheme in respect of professional services to which the scheme applies shall be the fees fixed by, or assessed under, the regulations as in force from time to time.

“ (3.) A maximum fee fixed by the regulations shall not be reduced unless the Minister has given not less than three months' notice of the proposed reduction by notice published in the *Gazette*.

“ (4.) Where an arrangement exists between a medical practitioner and a society, body or person under which professional services are rendered by that medical practitioner (whether or not a scheme established under this section applies in relation to those professional services), the Minister may make arrangements for the provision by the Commonwealth of sickness benefits or medical services, in respect of those professional services, in lieu of the benefits or services under the scheme.

“ (5.) Where arrangements made by the Minister under the last preceding sub-section are in operation in relation to any professional services, a scheme established under this section shall not apply in relation to those services.

“ (6.) Nothing in this section authorizes any form of civil conscription.”.

Committees.

4. Section sixteen of the Principal Act is amended by omitting the word “ advisory ”.

Regulations.

5. Section twenty-two of the Principal Act is amended—

- (a) by omitting from paragraph (e) the word “ and ” (last occurring) ; and
- (b) by inserting after that paragraph the following paragraph :—
  - “ (ea) for investing any court of a State with federal jurisdiction with respect to any matter arising under the regulations ; and ”.