

Queensland



ANNO TRICESIMO PRIMO

ELIZABETHAE SECUNDAE REGINAE

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No. 57 of 1982

**An Act to amend the Health Act 1937–1981 in certain  
particulars**

[ASSENTED TO 3RD DECEMBER, 1982]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

**1. Short title and citation.** This Act may be cited as the *Health Act Amendment Act 1982*.

**2. Commencement.** (1) This section and sections 1, 3, 34, 35, 36, 37 and 38 shall commence on the day on which this Act is assented to for and on behalf of Her Majesty.

(2) Except as provided by subsection (1) this Act shall commence on a day appointed by Proclamation.

**3. Principal Act and citation as amended.** (1) In this Act the *Health Act 1937–1981* is referred to as the Principal Act.

(2) The Principal Act as amended by this Act may be cited as the *Health Act 1937–1982*.

**4. Amendment of s. 5. Interpretation.** Section 5 of the Principal Act is amended by—

(a) in the definition of “Paint” omitting the words “or any other substance of any kind whatsoever”; and

(b) in the definition of “Pesticide” inserting after the word “rodenticide,” the word “arachnidicide,”.

**5. Amendment of s. 13.** Section 13 of the Principal Act is amended by in subsection (3) omitting the words “fourteen days” (where twice occurring) and substituting in each case the words “fourteen sitting days”.

**6. Amendment of s. 29. Notifiable diseases.** Section 29 of the Principal Act is amended by in subsection (1), inserting after the words “food poisoning in two or more associated cases,” the words “genital herpes,”.

**7. Amendment of s. 30.** Section 30 of the Principal Act is amended by inserting after subsection (1) the following subsection:—

“(1A) Where a person acting pursuant to subsection (1) notifies the Director-General that a person is suffering or that he suspects that the person is suffering from the disease of genital herpes and at some later time he becomes aware or suspects that the person is again suffering from that disease then, notwithstanding the provisions of subsection (1), he is not required to again notify the Director-General of that fact in so far as it relates to that person.”.

**8. Amendment of s. 53. Regulations as to venereal disease.** Section 53 of the Principal Act is amended by—

(a) omitting provision (e) and substituting the following provision:—

“(e) Requiring a person infected with venereal disease to give to a prescribed person particulars with a view to identifying—

(i) the source of the infection;

(ii) the persons (if any) to whom he may have communicated the disease;”;

(b) omitting provision (g) and substituting the following provision:—

“(g) Controlling the spread of venereal disease;”;

(c) inserting at the end thereof the following paragraph:—

“Where acting in pursuance of a requirement of a regulation a person gives information bona fide and without negligence to another person then the giving of that information shall not be made the ground of any legal proceedings against the first mentioned person.”.

**9. Amendment of s. 54.** Section 54 of the Principal Act is amended by—

(a) in subsection (2) in the second paragraph omitting all words occurring after the words “shall thereupon” and substituting the words “record the name and address of that practitioner”;

(b) omitting subsection (3) and substituting the following subsection:—

“(3) Every person suffering from a venereal disease who has consulted and placed himself under treatment by a medical practitioner shall personally attend or cause himself to be attended by the medical practitioner at such times as the medical practitioner directs and shall undergo the course of treatment prescribed in respect of that venereal disease.”;

(c) in subsection (5) omitting the words “and the nature of the disease,” and substituting the words “; the nature of the disease and such other particulars as are prescribed,”;

(d) omitting subsection (6) and substituting the following subsection:—

“(6) If any person who has consulted and placed himself under treatment by a medical practitioner for a venereal disease fails to attend or cause himself to be attended by the medical practitioner and undergo the course of treatment prescribed in respect of that venereal disease then the medical practitioner shall forthwith send to the Director-General a notice in which there shall be stated that fact, the particulars required by subsection (5) and the name and address of the person.”;

(e) omitting subsection (7) and substituting the following subsection:—

“(7) Every medical practitioner who attends or advises any patient for or in respect of any venereal disease from which the patient is suffering shall direct such patient’s attention to the contagious character of the disease and to the provisions of subsection (12).”;

(f) omitting subsections (8) and (9);

(g) omitting subsection (13) and substituting the following subsection:—

“(13) Every person who has been notified by a medical practitioner to the Director-General as suffering from a venereal disease shall for the purposes of this Act be deemed to be so suffering until he has undergone the course of treatment prescribed in relation to that disease. The onus of proving that a person has undergone the course of treatment prescribed in relation to that disease shall be upon the person alleging that fact.”.

**10. Repeal of s. 55. Marriage when a nullity.** The Principal Act is amended by repealing section 55.

**11. Amendment of s. 56.** Section 56 of the Principal Act is amended by—

(a) omitting subsection (2);

(b) in subsection (3) omitting the words “or order” (where 3 times occurring);

(c) in subsection (4) omitting the words “or order” (where twice occurring).

**12. Repeal of and new s. 57. Hospitals, etc., to give treatment.** The Principal Act is amended by repealing section 57 and substituting the following section:—

“**57. Hospitals to give treatment.** (1) The Hospitals Board having the management and control of any hospital within the meaning of the *Hospitals Act* 1936–1981 shall make effective provision for the examination and treatment in accordance with regulations made by the Director-General of persons suffering from venereal disease.

(2) The Director-General may make regulations for the purposes of subsection (1).”.

**13. Amendment of s. 59. Secrecy.** Section 59 of the Principal Act is amended by—

(a) numbering the existing section as (1);

(b) inserting the following new subsection:—

“(2) The Director-General or any other person shall not be required to produce in court any record, notice or other document kept or to disclose to a court any information which has been received under or for the purposes of this Division.”.

**14. Amendment of s. 63. Interpretation.** Section 63 of the Principal Act is amended by—

(a) in the definition of “Private hospital” omitting the words “the purposes of their lying-in or confinement” and substituting the words “maternity purposes”;

(b) in the definition of "Registered nurse" omitting the expression "*The Nurses and Masseurs Registration Acts, 1928 to 1933.*" and substituting the expression "*the Nursing Act 1976-1979.*"

**15. Amendment of s. 64. Private hospitals to be licensed.** Section 64 of the Principal Act is amended by—

(a) in provision (b) omitting the word "lying-in" and substituting the word "maternity";

(b) in provision (c) omitting the expression "*The Mental Health Act of 1962*" and substituting the expression "*the Mental Health Act 1974-1978*".

**16. Repeal of and new s. 65.** The Principal Act is amended by repealing section 65 and substituting the following section:—

**"65. Who may hold licences.** No person or association of persons other than—

(a) a medical practitioner;

(b) a registered nurse;

(c) a religious body or order;

(d) a society approved by the Director-General; or

(e) a body corporate approved by the Director-General,

shall be entitled to apply for or hold a licence for a private hospital."

**17. Amendment of s. 66. Kinds of licences.** Section 66 of the Principal Act is amended by—

(a) in provision (b) first occurring omitting the word "lying-in" and substituting the word "maternity";

(b) in provision (a) second occurring omitting the expression "*The Nurses and Masseurs Registration Acts, 1928 to 1948*" and substituting the expression "*the Nursing Act 1976-1979*";

(c) in provision (b) second occurring—

(i) inserting after the word "society" the words "or body corporate";

(ii) omitting the expression "*The Nurses and Masseurs Registration Acts, 1928 to 1948*" and substituting the expression "*the Nursing Act 1976-1979*";

(d) in provision (c) second occurring—

(i) omitting the word "lying-in" and substituting the word "maternity";

(ii) omitting the expression "*The Nurses and Masseurs Registration Acts, 1928 to 1948*" and substituting the expression "*the Nursing Act 1976-1979*";

(e) in provision (d) second occurring—

(i) omitting the word "lying-in" and substituting the word "maternity";

(ii) inserting after the word "society" the words "or body corporate";

(iii) omitting the expression “ “ *The Nurses and Masseurs Registration Acts, 1928 to 1948* ” ” and substituting the expression “ the *Nursing Act 1976-1979* ”;

(f) in provision (e) omitting the expression “ “ *The Nurses and Masseurs Registration Acts, 1928 to 1948* ” ” and substituting the expression “ the *Nursing Act 1976-1979* ”;

(g) in provision (f)—

(i) inserting after the word “ society ” the words “ or body corporate ”;

(ii) omitting the expression “ “ *The Nurses and Masseurs Registration Acts, 1928 to 1948* ” ” and substituting the expression “ the *Nursing Act 1976-1979* ”;

(h) in provision (g) omitting the expression “ “ *The Nurses and Masseurs Registration Acts, 1928 to 1948* ” ” and substituting the expression “ the *Nursing Act 1976-1979* ”;

(i) in provision (h)—

(i) inserting after the word “ society ” the words “ or body corporate ”;

(ii) omitting the expression “ “ *The Nurses and Masseurs Registration Acts, 1928 to 1948* ” ” and substituting the expression “ the *Nursing Act 1976-1979* ”;

(j) inserting at the end thereof the following paragraph:

“ Where pursuant to the provisions of this section a licence is granted to a religious body or order or a society or body corporate approved by the Director-General then that religious body or order or that society or body corporate, as the case may be, shall notify the Director-General of the name of the medical practitioner, or, as the case may be, the name and registration number of the nurse, for the time being in charge of the private hospital to which the licence relates.”.

**18. Amendment of s. 68.** Section 68 of the Principal Act is amended by inserting after subsection (1) the following subsection:—

“ (1A) Notwithstanding the provisions of subsection (1) the Director-General may in a licence to erect a private hospital state that the licence is to be effective for a specified period and where the Director-General does so state that licence shall unless it is sooner cancelled be effective for that period.”.

**19. Amendment of s. 68A. Cancellation and suspension of licences.** Section 68A of the Principal Act is amended by in subsection (2) omitting the expression “ 30 days ” and substituting the expression “ 14 days ”.

**20. Amendment of s. 68B. Delivery of licence to Director-General.** Section 68B of the Principal Act is amended by in subsection (1) omitting the expression “ 14 days ” and substituting the expression “ 7 days ”.

**21. Amendment of s. 71.** Section 71 of the Principal Act is amended by—

(a) omitting the note appearing in and at the commencement of the section and substituting the following note:—

“**Duty of licensee and transfer of licence**”;

(b) omitting subsections (1) and (2) and substituting the following subsection:—

“(1) The licensee of a private hospital shall be held responsible for the due conduct thereof and shall ensure that there is at all times an adequate number of registered nurses (being not less than one) in attendance at the hospital having regard to the number of patients accommodated in the hospital.”.

**22. Amendment of s. 72. Regulations.** Section 72 of the Principal Act is amended by in subsection (3) omitting the expressions “\$200” and “\$10” and substituting the expressions “\$500” and “\$100” respectively.

**23. Amendment of s. 73. Inspection.** Section 73 of the Principal Act is amended by omitting the words “prescribed to be”.

**24. Amendment of s. 76B. Definitions.** Section 76B of the Principal Act is amended by in the definition of “Registered nurse” omitting the expression ““*The Nurses and Masseurs Registration Acts, 1928 to 1948.*”” and substituting the expression “the *Nursing Act 1976–1979.*”.

**25. Amendment of s. 76C. Issue, renewal, etc., of licences.** Section 76C of the Principal Act is amended by—

(a) in subsection (7) omitting the second, third and last paragraphs;

(b) inserting after subsection (7) the following subsection:—

“(8) The Director-General may issue a licence or any renewal thereof to which this Division applies subject to such terms and conditions (if any) as he thinks fit to impose and all such terms and conditions shall form part of the licence.”.

**26. New s. 76CA.** The Principal Act is amended by inserting after section 76C the following section:—

“**76CA. Cancellation and suspension of licences.** The provisions of sections 68A and 68B shall with all necessary adaptations apply to the cancellation and suspension of licences issued under this Division and for the purpose of such application a reference in those sections to a private hospital shall be taken to be a reference to a nursing home.”.

**27. Amendment of s. 76D. Who may hold licences.** Section 76D of the Principal Act is amended by in subsection (2) omitting the words “or a registered nurse whose name has been notified to the Director-General” and substituting the words “whose name has been notified to the Director-General or a registered nurse whose name and registration number have been notified to the Director-General”.

**28. Amendment of s. 76E. Offences.** Section 76E of the Principal Act is amended by in subsection (3) omitting the expression “\$400” and substituting the expression “\$500”.

**29. Amendment of s. 76G. Duties etc., of licensee.** Section 76G of the Principal Act is amended by omitting subsections (2) and (3) and substituting the following subsections:—

“(2) (a) A licensee shall ensure that there is at all times an adequate number of registered nurses (being not less than one) in attendance at the nursing home having regard to the number of persons accommodated in the home.

(b) Notwithstanding the provisions of paragraph (a) the Director-General may in a case where in his opinion, because of the number of persons capable of being accommodated in the nursing home, it is not necessary that there be a registered nurse in attendance at the home at all times exempt a licensee from compliance with the provisions of paragraph (a) and any such exemption—

(i) may be granted subject to such terms and conditions as the Director-General thinks fit;

(ii) may be revoked by the Director-General at any time.

(c) If the licensee fails to comply with a requirement of this subsection the Director-General may cancel or suspend the licence.

(3) Where the person whose name has been notified to the Director-General pursuant to section 76D (2) is temporarily absent from his duties at the nursing home the licensee shall immediately notify the Director of the name of the person and where the person is a registered nurse, the registration number of the person, who is temporarily performing the duties of the first mentioned person together with details of the period for which the first mentioned person is expected to be so absent.”

**30. Amendment of s. 76H. Regulations.** Section 76H of the Principal Act is amended by in subsection (2) omitting the expressions “\$200” and “\$50” and substituting the expressions “\$500” and “\$100” respectively.

**31. Amendment of s. 100. Camping grounds.** Section 100 of the Principal Act is amended by—

(a) in provision (c) omitting the word “executed.” and substituting the word “executed;”;

(b) inserting after provision (c) the following provisions:—

“(d) The approval and revocation thereof of any land as a camping ground and the person or persons who may grant any such approval or revoke the same;

(e) The submission (in the form of a plan or otherwise) of particulars in respect of any land used or intended to be used as a camping ground and the person by whom the same are to be submitted;

(f) The care and maintenance of camping grounds and the person who is to be responsible for the same.”;

(c) omitting the last paragraph and substituting the following paragraph:—

“ In this section—

“ camp ” when used as a noun, includes any moveable dwelling, cabin, caravan, tent fly, awning and any structures or shelters used as temporary abodes;

“ camping ground ” means any land on which any camp is situated or erected but does not include a wayside camp for the use of drovers, teamsters or other persons whose occupation necessitates the use of such a camp;

“ moveable dwelling ” includes any tent, or any van or other conveyance whether on wheels or not, which is used either regularly or at certain times only for human habitation.”.

**32. Amendment of s. 131J. Interpretation.** Section 131J of the Principal Act is amended by—

(a) in the definition of “ Pest control operator ” omitting the word “ mites ” and substituting the word “ arachnida ”;

(b) in the definition of “ Prohibited pesticide ” omitting the word “ substances.” and substituting the word “ substances;”;

(c) inserting after the definition of “ Prohibited pesticide ” the following definition:—

“ “ Regulated pesticide ”—Any pesticide for the time being declared by Order in Council to be a regulated pesticide: the term includes any admixture, preparation or solution that contains that pesticide.”.

**33. New s. 131KB.** The Principal Act is amended by inserting after section 131KA the following section:—

“ **131KB. Regulated pesticide.** (1) An Order in Council in which a pesticide is declared to be a regulated pesticide shall contain details of the terms and conditions subject to which a pest control operator may use that regulated pesticide.

(2) A pest control operator shall not use a regulated pesticide except in compliance with the terms and conditions referred to in subsection (1).”.

**34. Amendment of s. 154I. Constitution of Queensland Radium Institute.** Section 154I of the Principal Act is amended by in subsection (2)—

(a) omitting paragraph (c) and substituting the following paragraph:—

“ (c) The provisions of sections 8, 10, 11, 13, 14, 15, 16, 17, 20, 22, 24 and 25 (other than subsection (3) of section 25) of the *Hospitals Act* 1936–1981 shall, with and subject to all necessary adaptations, apply to the Institute.

It may be directed by Order in Council that the Institute is a Board within the meaning of the *Hospitals Act* 1936–1981 for the purposes of section 5C of that Act and the governing body of a hospital within the

meaning of subparagraph (b) (v) of paragraph (1a) of section 21 of that Act and the direction contained in that Order shall be given effect to as if it were contained in an Order made pursuant to either that section or subparagraph, and upon the giving of such direction that section and subparagraph shall, with and subject to all necessary adaptations apply to the Institute.”;

(b) in paragraph (d), inserting at the end of the paragraph the following paragraph:—

“It is the function of the Institute to properly govern and control its affairs as a body corporate and to manage and apply property from time to time held by it, and the income arising therefrom, for such purposes as are prescribed by this Part.”;

(c) in paragraph (i), inserting after the word “hospitals” where lastly occurring the words “and to enable that treatment to be carried out it is empowered to apply such of its funds, as are approved by the Minister, to the accommodation and equipment necessary to provide that treatment”;

(d) omitting paragraph (m) and substituting the following paragraph:—

“(m) (i) As soon as practicable after the expiration of each financial year the Institute shall furnish to the Minister a report on its operations throughout that year.

(ii) The report shall include such statements of account and other financial and relevant information as are prescribed by regulations under the *Hospitals Act* 1936–1981 in respect of Boards within the meaning of that Act as if it were such a Board and be presented together with the Auditor-General’s certificate prescribed by section 154KA (4).

(iii) The Minister shall lay the report of the Institute before the Legislative Assembly within 14 sitting days of his receipt of the report.”.

**35. Amendment of s. 154J. To be a body corporate.** Section 154J of the Principal Act is amended by, in paragraph (i)—

(a) omitting the word “hereinafter”;

(b) inserting after the word “property” the words “and of doing and suffering all such other acts and things as bodies corporate may by law do and suffer”.

**36. Repeal of and new s. 154K. Queensland Radium Institute Fund.** The Principal Act is amended by repealing section 154k and substituting the following section:—

“**154K. Funds of Institute.** (1) The Institute shall establish and maintain—

- (a) a General Fund;
- (b) a Trust Fund;
- (c) a Loan Fund; and
- (d) a Special Purposes Fund.

The funds shall be separate and distinct, and a separate and distinct bank account shall be kept for each fund.

Moneys shall be paid out of any such bank account by means of cheque only signed and countersigned in accordance with subparagraph (i) of paragraph (b) of regulation 6A of the Financial Arrangements Regulations made under the *Hospitals Act* 1936-1981 subject to all necessary adaptations as are necessary to that subparagraph to apply it to the operations of the Institute.

(2) All donations, grants, contributions and other moneys received by the Institute (other than moneys credited to the Trust Fund and those moneys pertaining to any other fund established under this section), and all payments of interest to the Institute on money invested by the Institute (other than income from moneys invested in the Trust Fund) shall be paid by the Institute into a separate account to be called the " Collections Account ".

The balance of moneys standing to the credit of the Institute in the Collections Account shall be paid by the Institute at the end of each month, or at such other times as are directed by the Minister, to the Treasury for payment to the Hospital Administration Trust Fund established under the *Hospitals Act* 1936-1981.

(3) (a) The General Fund shall consist of all moneys received from the Hospital Administration Trust Fund and shall, subject to the Minister, be applied by the Institute to—

- (i) expenses incurred by the Institute in carrying out the functions imposed on it by this Act;
- (ii) payment of all sums due for interest and redemption of the loan liability incurred by the Institute;
- (iii) payment of any sum due under an agreement lawfully made to enable the Institute to carry out its objects, and any sum recovered against the Institute by process of law, and any sum which by order made or purporting to be made under this Part the Institute is directed to pay by way of expenses, compensation, damages, costs or otherwise.

(b) The Institute may obtain advances from any bank by way of overdraft in the General Fund.

(c) The Institute shall not, during any financial year, allow the amount of its overdraft to exceed the amount for the time being authorized by the Minister, on the recommendation of the Treasurer, after considering any recommendation made by the Institute.

(4) (a) The Trust Fund shall consist of contract deposits and gifts, bequests or legacies or moneys arising from any gift, devise or bequest of property received by or vested in the Institute.

(b) The Institute, with the approval of the Minister first had and obtained, may agree to carry out conditions to which a gift, grant, bequest or devise is subject.

(c) The Trust Fund shall be applied to the purposes directed, but in the absence of any such direction shall be applied in aid of the function of the Institute in such manner as is approved by the Minister.

(d) Until moneys in the Trust Fund are applied in accordance with paragraph (c) the Institute may invest those moneys in such manner as is prescribed by subsection (7) and the interest accruing from time to time in respect of such investment shall be paid into the Trust Fund.

(5) (a) The Loan Fund shall consist of all moneys received by way of loan.

(b) The Loan Fund shall be applied to expenditure necessarily incurred in carrying out the work in respect of which the loan liability was incurred.

(c) Any balance, or part thereof, remaining in the Loan Fund to the credit of any loan at its closure shall be applied for the purposes of such other loan or shall be dealt with in such other manner as is approved in writing by the Treasurer.

(6) (a) The Special Purposes Fund shall consist of all moneys received by the Institute for special purposes (other than bequests, legacies, gifts or devises) where the payer directs the special purpose to which the moneys are to be applied.

(b) The Special Purposes Fund shall be applied to the special purpose directed and for no other purpose.

(c) Until moneys in the Special Purposes Fund are applied in accordance with paragraph (b) the Institute may invest those moneys in such manner as is prescribed by subsection (7) and the interest accruing from time to time in respect of such investment shall be paid into the Collections Account.

(7) (a) Moneys of the Institute may, until required by it for a purpose to which the moneys may lawfully be applied, be invested.

The Institute shall have the same powers of investment as are specified in section 21 (6) of the *Hospitals Act 1936-1981* in respect of Boards within the meaning of that Act as if it were such a Board.

(b) Every security or safe custody acknowledgement or other document evidencing title issued in respect of any investment of moneys of the Institute shall be held by the Institute.

(c) Paragraph (a)—

(i) shall not apply in relation to moneys acquired by the Institute under an instrument that expressly directs to the contrary; and

(ii) shall not be construed to restrict, in relation to particular moneys, the powers of investment conferred on the Institute by an instrument under which it has acquired those moneys.

(d) Where moneys have been invested by or are held by the Institute in accordance with the provisions of this section or the directions of a donor, settlor or testator, the Institute may from time to time, with the approval of the Minister upon advice of the Treasurer, vary and transpose such investments for or into other investments similarly so directed.<sup>37</sup>

37. New s. 154KA. **Audit of accounts.** The Principal Act is amended by inserting after section 154K the following section:—

“154KA. **Audit of accounts.** (1) The accounts of the Institute shall be audited at least once in each year by the Auditor-General or an authorized officer within the meaning of the *Financial Administration and Audit Act 1977–1981* each of whom shall have with respect to such audit and accounts all the powers and authorities conferred on him by that Act.

(2) The statements of account in the prescribed form shall be certified as correct by the chairman and secretary of the Institute.

(3) Forthwith upon certification of the statements of account the secretary of the Institute shall cause the certified statements and the accounts of the Institute, together with all proper vouchers in support thereof and all books, papers, writings and records of the Institute relating thereto, to be placed before the Auditor-General or authorized officer referred to in subsection (1).

(4) The Auditor-General shall certify whether the statements of account prepared on behalf of the Institute—

- (i) are prepared in the prescribed form;
- (ii) are in agreement with the accounts; and
- (iii) in his opinion fairly set out the financial transactions for the period to which they relate or, as the case may be, the position at the close of that period.

(5) The Auditor-General shall at least once in each year report to the Minister the results of each audit carried out under this subsection and shall, if he thinks fit, include with the report recommendations to the Minister or the chairman of the Institute with respect to the financial statements and the manner of operating and maintaining the Institute's accounts.

A copy of the report and the recommendations (if any) shall be furnished to the chairman of the Institute.

The Minister or, as the case may be, the chairman shall give due consideration to the report and recommendations (if any) of the Auditor-General made pursuant to this subsection.

(6) The Auditor-General shall include in his annual report to Parliament such matters concerning the financial transactions of the Institute as he thinks fit.

If in the Auditor-General's opinion the circumstances so warrant he may make a special report to Parliament at any time.

(7) The report of the Auditor-General together with the accounts certified as prescribed by subsection (4) shall be submitted to the members of the Institute at the first ordinary meeting of the Institute held after the report becomes available to the chairman of the Institute.

(8) Whenever it appears to or comes to the knowledge of the Institute that any property of or received by it has been stolen or not accounted for the Institute shall forthwith give notice thereof to the Auditor-General and to a member of the Police Force of the rank of sergeant or above.

The Institute shall not—

- (a) abstain from, discontinue or delay a prosecution for an offence in relation to property of or received by it that has been stolen or not accounted for; or
- (b) withhold or promise to withhold, abstain from, discontinue or delay the production of evidence for the purpose of an investigation or prosecution of a case referred to in this subsection.

(9) A person who fails to comply with a requisition made on him by the Auditor-General or an authorized officer within the meaning of the *Financial Administration and Audit Act 1977-1981* commits an offence against this Act.”.

**38. Amendment of s. 154L. Regulations.** Section 154L of the Principal Act is amended by—

(a) inserting after the note “**Regulations.**” appearing in and at the beginning of the section the expression “(1)”;

(b) inserting at the end of the section the following subsection:—

“(2) Regulations made under the *Hospitals Act 1936-1981* (other than Part I (Administrative Arrangements of the Board)) shall apply to the Institute with and subject to all necessary adaptations as if the Institute were a Board within the meaning of that Act.”.