

Queensland



*Hospitals Foundations Act 1982*

# **PRINCE CHARLES HOSPITAL FOUNDATION RESEARCH RULE 1987**

**Reprinted as in force on 12 April 1996  
(includes amendments up to rule published gazette 11 June 1988  
p 1244)**

**Reprint No. 1**

**This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy**

# Information about this reprint

This rule is reprinted as at 12 April 1996. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use gender neutral office names (s 25)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- reorder other provisions consistent with current drafting practice (s 30A)
- use appropriate names for instruments and provision units (ss 31 and 32)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit the words of notification (s 42A)
- number and renumber certain provisions and references (s 43).

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
  - **table of obsolete and redundant provisions**
  - **table of renumbered provisions.**

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FOUNDATION RESEARCH RULE 1987**

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## **PRINCE CHARLES HOSPITAL FOUNDATION RESEARCH RULE 1987**

[as amended by all amendments that commenced on or before 12 April 1996]

### **Citation**

1. This rule may be cited as the *Prince Charles Hospital Foundation Research Rule 1987*.

### **Interpretation**

2. In this rule—

“**chairperson**” means the chairperson of the research committee.

“**foundation**” means the Prince Charles Hospital Foundation.

“**research objects of the foundation**” means the following objects of the foundation—

- (a) to seek to discover the nature, origins and causes of disease and bodily afflictions by the application of all or any of these branches of science that are relevant to the purpose and to make the best use of knowledge gained for improvement of the means of prevention or treatment of disease and bodily afflictions;
- (b) to research or arrange or promote research (including surveys relevant to health service or hospital functions) into and development of any branch of medical science, technological research, medical investigation or other matters concerning the health or well-being of people, with a view to general improvement in health services.

### **Research committee**

3.(1) There shall be established and from time to time constituted a research committee.

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(2) The functions of the research committee shall be to furnish to the chairperson information and advice with respect to—

- (a) the conduct of all matters relevant to the research objects of the foundation; and
- (b) the administration of the research fund.

(3) The research committee shall consist of the following members—

- (a) the member of the foundation to whom the foundation, pursuant to section 64 of the Act, has delegated responsibility for the conduct of all activities relevant to the research objects of the foundation and the administration of the research fund;
- (b) 5 other persons approved by the Minister and appointed by the foundation 4 of whom shall be suitably qualified for assessing activities relevant to the research objects of the foundation.

(4) The member referred to in subsection (3)(a) shall be the chairperson of the research committee.

(5) No persons shall be appointed to be a member of the research committee pursuant to subsection (3)(b) without the prior approval of the Secretary of the Commonwealth Department of Health holding office under the *National Health Act 1953* (Cwlth).

(6) The chairperson shall preside at all meetings at which the chairperson is present but if the chairperson is absent from any meeting, the members present may appoint a chairperson to preside at that meeting.

(7) At all meetings of the research committee, all members shall vote.

(8) However, if a member refuses to vote, the member's vote shall be counted for the negative.

(9) The chairperson of each meeting shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

(10) No business shall be transacted at any meeting of the research committee unless at least 4 members are present when such business is transacted.

(11) The research committee shall meet as often as it thinks necessary to perform its functions but at least twice in each half year.

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(12) As soon as practicable after each of its meetings the chairperson shall furnish to the foundation a report in respect of the matters resolved by the research committee.

(13) Subject to this rule and the Act, the research committee shall conduct its business and proceedings at meetings in such manner as it determines from time to time.

### **Research**

4. The chairperson shall ensure that all activities relevant to the research objects of the foundation are conducted in accordance with the recommendations of the research committee.

### **Research fund**

5.(1) The foundation shall in accordance with section 52 of the Act establish a trust fund to be called the research fund for the purposes of the research objects of the foundation and shall establish at a bank 1 or more bank accounts in respect of the research fund.

(2) The research fund shall be administered by the chairperson in accordance with the recommendations of the research committee.

(3) There shall be paid into the research fund all moneys received by the foundation for the research objects of the foundation or otherwise rightly appropriated to the research fund and all moneys received by the foundation by way of income from investment of moneys in the research fund and rightly accruing to the research fund.

(4) Moneys from time to time comprising the research fund may, until required by the foundation for the purpose to which the moneys may lawfully be applied in accordance with the Act and this rule, be invested in accordance with section 51 of the Act.

(5) Moneys from time to time comprising the research fund shall be applied to activities relevant to the research objects of the foundation and in accordance with the recommendations of the research committee.

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### **Publication of research**

6. The chairperson shall ensure that the results of all research financed from the research fund shall be freely available and wherever possible published in the scientific or medical press.

### **Patents**

6A. The chairperson shall ensure that any Australian patents issued as a result of research financed from the research fund be made available for general use on the same terms, to all interested bodies.

### **Winding-up of the research fund**

7.(1) If during any period of 1 year no activities relevant to the research objects of the foundation are carried out, the foundation may with the approval of the Minister, and shall if so directed by the Minister, wind-up the research fund.

(2) If upon the winding-up of the research fund there remains any moneys after all the liabilities of the research fund have been satisfied, those moneys shall not be distributed among the members of the foundation but shall be transferred to such body—

- (a) as in the opinion of the Governor in Council has similar objects to those of the foundation; and
- (b) as has been approved by the commissioner of taxation for the purposes of the *Income Tax Assessment Act 1936*, section 73A.

## ENDNOTES

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 12 April 1996. Future amendments of the Prince Charles Hospital Foundation Research Rule 1987 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

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### 3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

### 4 List of legislation

**Prince Charles Hospital Foundation Research Rule 1987**

pubd gaz 17 October 1987 pp 598–600  
commenced on date of publication

as amended by—

**rule published gazette—**

11 June 1988 p 1244  
commenced on date of publication

### 5 List of annotations

**Interpretation**

s 2 def “the Act” om R1 (RA s 39)

**Patents**

s 6A ins rule pubd gaz 11 June 1988 p 1244

**Winding-up of the research fund**

s 7 amd rule pubd gaz 11 June 1988 p 1244

## 6 Table of obsolete and redundant provisions

### TABLE OF OBSOLETE AND REDUNDANT PROVISIONS under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
definitions to be read in context	Acts Interpretation Act 1954 s 32A
def “the Act”	Statutory Instruments Act 1992 s 38 def “Act” (or “the Act”)

## 7 Table of renumbered provisions

### TABLE OF RENUMBERED PROVISIONS under the Reprints Act 1992 s 43

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