

Hon. Mr. Hislop.

HOSPITALS AND CHARITABLE AID.

ANALYSIS.

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A BILL INTITULED

Title.

AN ACT to provide for the Management of Hospitals, and for the Distribution of Charitable Aid.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.
Commencement of Act.

1. The Short Title of this Act is "The Hospitals and Charitable Aid Act, 1889." It shall come into operation on the *first* day of *April*, in the year one thousand eight hundred and *ninety*, which shall be deemed the commencement thereof.

Counties excepted from operation of Act.

2. The Counties of Kawhia, Taupo West, Taupo East, and Fiord are hereby excepted from the operation of this Act.

The Governor may, by Proclamation in the *Gazette*, bring any of such counties or any part thereof from time to time under this Act, and create the same part of a district; and may from time to time, by Order in Council, make regulations for the due administration of this Act in the said counties, and for raising contributions therein for hospitals and for charitable aid in accordance with this Act, and otherwise may do all things necessary in or towards the proper carrying-out therein of the aforesaid administration.

Interpretation.

3. In this Act, unless the context otherwise requires,—

"Borough" includes city:

"Children" mean boys under the age of fifteen years and girls under the age of seventeen years; and, in the absence of positive evidence as to age, mean under the apparent ages of fifteen and seventeen years respectively:

"Contributory local authority" means the Council of a county

or borough, or the Board of any road or town district where "The Counties Act, 1886," is not in operation, paying a proportion of the cost or contributing an annual sum towards the maintenance of any hospital or home in any district; and it includes the Council having the control of any hospital or home in such district:

"Corporation" means the Corporation of any borough or county the Council whereof has the control of any hospital or home under this Act in any district:

"Controlling Council" means the local authority having the control of any hospital or home under this Act in any district:

"District" means a district constituted under this Act:

"Home" means a local home under the control of any Council under this Act, and includes any benevolent institution vested in a local authority under this Act:

"Hospital" means any hospital instituted for the reception, relief, treatment, and cure of disease, but does not include any asylum or institution for the custody or treatment of lunatic or insane persons, nor any public establishment instituted for the reception or relief of aged, infirm, or incurable persons:

"Inspector" means an Inspector of any one or more hospitals, homes, or State refuges under this Act, and includes the Inspector-General:

"Maintenance" means feeding and clothing, and, in the case of children, teaching or training:

"Orphans" mean children both of whose parents are dead:

"Prescribed" means prescribed by this Act or by any rules or regulations made by virtue thereof:

"Refuge" means a State refuge established under this Act:

When a thing is required to be "publicly notified," or when "public notice" of anything is to be given, it is meant that a notice thereof shall be published in some newspaper circulating in the district in which such thing arises or to which it relates:

Words in this Act referring to a Council, district, hospital, home, refuge, institution, or local authority shall be construed distributively as applying to each Council, district, hospital, home, refuge, institution, and local authority to whom or to which the same is applicable.

4. For the purposes of this Act every borough shall be deemed to be included within the territorial area comprised in the description of the county wherein it is situate or to which it is contiguous, although such borough does not actually form part of such county.

Boroughs deemed to be included in counties.

In any case of doubt the Governor, by warrant under his hand, shall appoint the county wherein shall be deemed to be included any borough which is on the confines of more counties than one.

5. In any county where "The Counties Act, 1886," is not in operation the Chairmen of the Road Boards and Town Boards in such county shall be deemed the County Council for the purposes of this Act; and may set apart any sufficient portion of the County Fund for the purpose of defraying payments under this Act.

Provision where Counties Act is not in operation.

6. The divisions of the colony described in the *First Schedule* hereto are hereby constituted hospital districts and charitable-aid districts, separately and not jointly, for the purposes of this Act, and shall be called by the names set over each such description.

Districts constituted. First Schedule.

When the boundaries of any county comprised in a district are altered, such alteration shall operate with respect to any district constituted under this Act, and shall take effect accordingly.

If a new county shall at any time be created the limits whereof extend into more districts than one, the Governor, by warrant under his hand, shall appoint the district wherein such new county shall be deemed to be included. 5

Separate local authority within district to be the controlling Council under this Act.

7. Within the several districts constituted by this Act the management of hospitals and the distribution of charitable aid in local homes established under this Act shall be administered by separate controlling Councils within such district; but within any district one Council may have both the management of hospitals and the distribution of such charitable aid. 10

Controlling Councils having dual charge.

8. Until altered by virtue of the provisions of this Act both the management of hospitals and the control of such charitable aid in the several districts aforesaid shall be vested in the Councils severally mentioned in the *Second* Schedule to this Act, saving as follows:— 15

Second Schedule. Exceptions.

(1.) Within the North of Auckland District the several Borough and County Councils shall be controlling Councils respectively within such boroughs and counties; but any two or more of such Councils may petition the Governor, who may thereupon, by Order in Council, amalgamate any of the said boroughs and counties together into one district. 20

(2.) Until a hospital or a home is built within the Palmerston North District and fit for occupation, the said district shall, for hospital purposes and for charitable-aid purposes respectively, be deemed to be included in and form part of the Wanganui District, and the Wanganui Borough Council shall be the controlling Council thereof for both such purposes; but, when either of such institutions is established within the first-named district, the Governor, by Order in Council from time to time, may declare the said district to be separated from the Wanganui District for either of the above purposes or both, and may appoint any local authority in the first-named district to be the controlling Council thereof for either or both of the above-mentioned purposes, or may make such special provision in that behalf as he shall think fit. 25 30 35

(3.) The Governor may, by such Order in Council, include within the Palmerston North District, on petition by the Council of the County of Horowhenua, such county in such district; and thenceforth such county shall cease to be part of the Wellington District. 40

No such order shall take effect until the first day of April or October next after the gazetting thereof. 45

Benevolent institutions vested in local authorities. Third Schedule.

9. The several benevolent institutions mentioned in the *Third* Schedule to this Act, with all real and personal property thereof respectively, are hereby transferred to the Councils respectively mentioned in the said Schedule, who shall have the control thereof, and shall apply the said property for the purposes of charitable aid or of homes established under this Act. 50

PART I.

HOSPITALS.

Existing hospitals to be under Act. Second Schedule.

10. Subject to the special provisions of this Act, the several hospitals within the several districts mentioned in the *Second* Schedule hereto are hospitals under this Act, and the controlling 55

Council of the district within which any such hospital shall be situate shall, from the commencement of this Act, have the management and control thereof.

Any such hospital, or any hospital to be hereafter erected, which may be situated beyond the limits of the borough or county the Council whereof has the control, shall, for the purposes of this Act, be deemed to be part of such borough or county as the case may be, and shall be subject to the jurisdiction of the Council thereof.

11. For every hospital district there shall be a Hospital Fund, consisting of the moneys arising from the following sources:—

Moneys constituting Hospital Fund.

- (1.) Rents and profits of land and endowments vested for the purpose of such hospital in the Corporation;
- (2.) Rents and profits of land and endowments set apart for the benefit of any hospital or branch hospital within the district;
- (3.) Voluntary contributions, including donations and bequests;
- (4.) Contributions from the Consolidated Fund or from local authorities; and
- (5.) All other moneys which may be received for or on behalf of any hospital in the district, or become the property of the Corporation for hospital purposes under this or any other Act.

12. In case of public moneys being appropriated for the purposes of this Part of this Act by the General Assembly, there may be paid out of such moneys to every controlling Council of any hospital under this Act, complying with the requirements of this Act and of all orders made hereunder by the Governor, in each financial year, beginning with the financial year commencing on the first day of April, one thousand eight hundred and *ninety*, aid as follows, that is to say:—

Annual grant to be proportioned to number of inmates

- (1.) The aggregate number of days of the actual treatment and stay of all the patients admitted to or being within such hospital during the financial year ending on the thirty-first day of March next preceding the financial year for which such aid is given being added together, a sum of *two shillings and sixpence* may be paid in respect of each of the first *three thousand* days, and a sum of *two shillings* for each day beyond that number;
- (2.) A sum of *sixpence* for each day's actual lodgment and maintenance of any aged, infirm, and other person suffering from a chronic ailment, and not requiring actual medical or surgical treatment, in such hospital during the financial year ending as aforesaid.

In the event of the sum appropriated in any year for the above purpose being less than sufficient to meet the above payments at the aforesaid rates, the same shall be uniformly decreased in proportion to the sum so appropriated.

13. In calculating the amount of aid so to be given under subsection one of the *last*-preceding section,—

Day of departure from hospital not to be reckoned.

- (1.) The day of reception of any patient into such hospital shall be counted or reckoned, but not the day of his or her departure therefrom; and

- Stay of patient not to exceed thirty days.** (2.) No patient shall be estimated as having stayed under actual treatment for any period exceeding *thirty* days in any hospital, except the Inspector-General allows such estimate in each particular case.
- Grants may be paid quarterly.** 14. The Colonial Treasurer may advance and pay, by such quarterly payments in every year as to him shall seem fit, to the controlling Council of any hospital entitled under this Act, all sums to which such hospital may be so entitled. 5
- Controlling Council to collect moneys of fund.** 15. The controlling Council shall take all necessary steps for providing funds for the maintenance of any hospital under their control, and may appoint persons to collect voluntary contributions or donations for such purpose, and shall levy, receive, and collect from the several contributory local authorities in the district the contributions which they may be required to furnish from time to time. 10
- "Contributors' Book" to be kept.** 16. At every hospital a book, to be called "The Contributors' Book," shall be kept, in which shall be entered the names and addresses of all persons voluntarily contributing towards the funds for the support thereof, and the amounts contributed by each person. 15
- All moneys to be paid into fund, and paid out by cheques.** 17. All moneys arising from any of the sources aforesaid for any hospital shall be paid to a separate account of the General Fund of the borough or county having the control of such hospital, to be called "The Hospital Fund Account," and shall only be paid thereout for hospital purposes by cheques signed in manner as cheques of such Councils respectively are ordinarily signed. 20
- Application of surplus funds.** 18. Any balance of the moneys received from the contributory local authorities remaining at the end of any year shall be carried forward to the credit of the succeeding year. 25
- Special bequests.** All surplus funds belonging to any hospital which, at the time of the passing of this Act, are invested in any manner shall remain so invested, or be invested in such class of securities as may be prescribed; and the yearly proceeds of such investments shall, subject however to the particular purpose for which any gift or bequest may be specially appropriated, be applied towards the general expenses of such hospital. 30
- But the Governor, if he thinks fit, may at any time permit such investments to be realised, and the proceeds, subject as aforesaid, to be applied in any case of emergency or for such special objects permissible under this Act as the controlling Council may from time to time direct. 35
- Controlling Council may make by-laws.** 19. The controlling Council, in respect of the hospitals vested in them from time to time, may make, vary, or revoke by-laws in respect to all or any of the matters next mentioned, that is to say,—
- (1.) For regulating the admission of patients into any hospital;
 - (2.) For the reception of patients sent for treatment from hospitals in other districts, and for their return to the district whence they respectively came, and for the payment of the cost of their maintenance and treatment;
 - (3.) For the maintenance of order, discipline, decency, and cleanliness among the inmates of hospitals;
 - (4.) For prescribing the duties of the several medical and other officers, nurses, attendants, and servants of any hospital;
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- (5.) For preventing trespass or intrusion upon the premises of any hospital or the grounds attached or belonging thereto;
- 5 (6.) For preventing disorderly behaviour in or upon the premises of any hospital by any person ;
- (7.) For regulating or prohibiting the introduction of any articles whatsoever into any hospital ;
- (8.) For the affording relief by medicine and attendance to out-door patients ;
- 10 (9.) For all matters affecting the general management, care, control, and superintendence of any hospital.

All such by-laws shall be made under the general law for the time being regulating the making of by-laws by a Borough or County Council as may be the case with the controlling Council making the
 15 same, and copies thereof shall be transmitted to the Colonial Secretary.

The Governor may at any time before or after the coming into operation of any by-law disallow the same.

20 One or more copies of all by-laws shall, seven days at least before they come into operation, be affixed and maintained in some conspicuous public place in every hospital to which the same relate.

Copy to be posted in conspicuous place in institution.

Any by-law may provide a penalty for every breach thereof of an amount which shall be in the discretion of the Justices inflicting the same, and shall in no case exceed *ten* pounds.

Penalties for breach of by-laws.

25 20. The controlling Council may from time to time appoint a Secretary, Treasurer, and such medical men and other officers, nurses, attendants, and servants to assist in the execution of this Act as they shall think proper, and may pay them such salaries or other remuneration as they think fit, and may from time to time
 30 remove any of them and appoint others in their stead.

Controlling Council may appoint officers.

All persons appointed under any Act hereby repealed, and holding office at the time of the commencement of this Act, shall be deemed to have been appointed under this Act.

PART II.

CHARITABLE AID.

35 21. Excepting as hereinafter mentioned in relation to inmates of State refuges, the cost of maintaining all aged, infirm, incurable, and sick persons suffering from chronic ailments, as well as all destitute or neglected (but not criminal) children, who are without
 40 sufficient means and are unable to earn their own living, and who have no near relative liable under "*The Destitute Persons Act, 1889,*" for their support, shall be defrayed by the controlling Council of the district where the said persons usually reside.

Cost of maintaining the aged and infirm, as well as neglected children, to be defrayed by controlling Council of district.

45 22. For every district there shall be a Charitable Aid Fund, consisting of the moneys arising from the following sources :—

Moneys constituting Charitable Aid Fund.

- (1.) Rents and profits of land and endowments vested for charitable-aid purposes in the corporation ;
- (2.) Rents and profits of land set apart for the benefit of any home or any charitable or benevolent institution vested in
 50 the corporation within the district ;
- (3.) Voluntary contributions, including donations and bequests ;
- (4.) Grants and contributions from local authorities ; and

(5.) All other moneys which may be received for or on behalf of any home or any charitable or benevolent institution under the control of the Council, or otherwise for charitable-aid purposes, or otherwise become the property of the corporation for charitable-aid purposes under this Act. 5

Controlling Council to collect moneys of fund.

23. The controlling Council shall take all necessary steps for providing funds for the maintenance of any home under their control, and may appoint persons to collect voluntary contributions or donations for such purpose, and shall levy, receive, and collect from the several contributory local authorities in the district the contributions which they may be required to furnish from time to time. 10

All moneys to be paid into fund, and paid out by cheque.

24. All moneys arising from any of the sources aforesaid for charitable aid in any district shall be paid to a separate account of the General Fund of the borough or county having the control of such charitable aid in such district, to be called "The Charitable Aid Fund Account," and shall only be paid thereout by cheques signed in manner as cheques of such Councils respectively are ordinarily signed. 15

Local Homes.

Controlling Council of districts to establish homes.

25. The controlling Council of every district shall, as soon as conveniently may be, provide one or more homes, either within or without the limits of its jurisdiction as a single local authority in the district, for the reception of the persons whose maintenance is, by section *twenty-one*, to be defrayed by them. 20

Controlling Council may arrange for maintenance of persons in home of another district.

26. Any controlling Council may arrange with the controlling Council of any other district for the maintenance, in any home managed by such latter Council, of any person as aforesaid. 25

Annual grant to be in proportion to number of actual inmates of homes.

27. In case of public moneys being appropriated for the purposes of this Part of this Act by the General Assembly, every controlling Council charged with the cost of maintaining any of the aforesaid persons, and complying with the requirements of this Act and of all orders made by the Governor in that respect, shall receive out of such moneys in each year aid to the extent and amount of *sixpence* for each day's actual lodgment and maintenance of any such person in any home under this Act. 30

Day of departure from home not to be reckoned.

28. In calculating the amount of aid so to be given under this Act to any home as aforesaid, the day of reception of any patient into such home shall be counted or reckoned, but not the day of his or her departure therefrom. 35

In any case of doubt or dispute whether any person should be admitted into a home, or continue to remain therein, the Inspector-General, or some person appointed by him, shall decide. 40

Grants may be paid quarterly.

29. The Colonial Treasurer may advance and pay, by such quarterly payments in every year as to him shall seem fit, to any home entitled under this Act, all sums to which such home may be so entitled. 45

Controlling Council may appoint officers and servants thereto.

30. The controlling Council, in respect of any home under their control, may from time to time appoint all necessary officers and servants thereto, and pay them such salaries or other remuneration as they shall think fit.

By-laws for control of order in homes.

31. The controlling Council, in respect of any home under their control, may from time to time, in manner prescribed by the present law regulating the making of by-laws by such Council, make, alter, 50

or revoke by-laws for any of the purposes hereinafter mentioned, that is to say,—

- (1.) For inquiring into and ascertaining the proper objects of relief:
- 5 (2.) For the admission of persons into any home :
- (3.) For the maintenance of order, discipline, decency, health, and cleanliness amongst the inmates of any home or place :
- (4.) For preventing trespass or intrusion upon the premises of any home or the grounds attached or belonging thereto :
- 10 (5.) For preventing disorderly behaviour in or upon the premises of any home by any person :
- (6.) For regulating or prohibiting the introduction of any articles whatsoever into any home :
- 15 (7.) For the employment of the permanent or casual inmates of any home, and for prescribing taskwork or other labour to be done by such persons, and for separating into classes and keeping separate in any home the inmates thereof :
- (8.) For obtaining orders for maintenance upon persons who are by law liable to support their destitute relatives, and for obtaining reimbursement of sums paid for relief afforded to indigent persons, and expenses incurred in connection with providing transport, medical assistance, and burials for such indigent persons, from persons liable to pay the same :
- 20 (9.) For the infliction of punishment on, or the prosecution of, offenders against this Act, or the by-laws made in pursuance thereof :
- (10.) For prescribing the duties of the several officers of any home, and for keeping proper records, books, accounts, and vouchers :
- 30 (11.) Generally for the proper and efficient control and management of any home under their control, and the conduct of all officers and servants employed therein.

All such by-laws shall be made under the general law for the time being regulating the making of by-laws by a Borough or County Council, as may be the case with the controlling Council making the same, and copies thereof shall be transmitted to the Colonial Secretary.

The Governor may, at any time before or after the coming into operation of any by-law, disallow the same.

One or more copies of all by-laws shall, seven days at least before they come into operation, be affixed and maintained in some conspicuous place in every home to which the same relates.

Any by-law may provide a penalty for every breach thereof of an amount which shall be in the discretion of the Justices inflicting the same, and shall in no case exceed ten pounds.

Destitute and Neglected Children.

32. Towards the cost of maintaining at an industrial school, and until legally discharged therefrom, any child (other than an orphan child) who is committed under section sixteen of "The Industrial Schools Act, 1882," by reason of—

Maintenance of destitute children at industrial school to be paid by controlling Council.

- Having no means of subsistence, or whose parent is in indigent circumstances and unable to support such child ; or
- Being found wandering about or frequenting any street, thoroughfare, hotel, or place of public resort, or sleeping

in the open air, and not having any home or settled place of abode, or any visible means of subsistence, there shall be paid by the controlling Council of the district wherein such order was made, whether such child was committed to such school at any time before or after the commencement of this Act, a sum of *sixpence* per day for every such child. 5

The liability imposed by this section shall continue notwithstanding that a child has passed beyond the age of a child as defined by this Act.

The whole cost of maintaining every orphan child at an industrial school shall be defrayed out of the Consolidated Fund. 10

Exception as to orphans.

Manager of school may recover cost from controlling Council.

33. In case any such maintenance-money shall not be paid by the controlling Council aforesaid, the manager of the school of which such child is an inmate may recover the same from the said Council as a debt due to the said manager. 15

Controlling Council to include such cost in annual estimates.

34. Every controlling Council liable as aforesaid shall include the cost of maintaining such children in the annual cost of affording charitable aid in the district under their jurisdiction.

No child to be kept in home for the aged.

35. It is hereby declared that no child of either sex under the age of fourteen years shall be maintained for a longer period than *one* month at any home appropriated chiefly for the reception of aged or infirm adults. 20

PART III.

EXPENSES AND MAINTENANCE.

Where the whole or one-fourth of cost of maintenance of any hospital or home is defrayed by voluntary contributions, controlling Council may vest control of hospital in Trustees elected by contributors.

36. Where the whole or not less than *one-fourth* of the annual cost (exclusive of moneys derived from rents of land, interest from investments, or other moneys of a like kind) of maintaining a hospital or home in any district is defrayed by the subscriptions of private contributors thereto, the controlling Council may by special order vest the control of such hospital or home in not less than six nor more than twelve Trustees to be elected by the said contributors; who shall have all the powers of the said Council under this Act in respect of the management of such hospital or home, and of the recovery of maintenance-money from any inmate thereof or receiving relief therefrom, but shall exercise such powers subject to the direction of such Council. 25 30 35

The Trustees shall in every year send an estimate of the cost of maintaining the hospital or home under their management to the aforesaid Council, and the said Council shall levy and collect, in manner as prescribed by this Act, the necessary contributions from the local authorities liable for the maintenance of such hospital or home. 40

The said Council may make by-laws for the election of such Trustees, and for all purposes to give effect to the provisions of this section.

Any special order made under this section may be rescinded by the controlling Council if the subscriptions aforesaid in any year do not equal the amount above mentioned, or for any other cause which the said Council shall deem sufficient. 45

Controlling Council to allocate proportion of expenditure to be contributed by local authorities.

37. The controlling Council shall, as early as possible after first coming into office, and thereafter in every year before the last day of March, estimate the amount of the expenditure required for the maintenance of every hospital or home in the district, including repairs, alterations, and additions to any building under its control, up to 50

the last day of March in the following year; and shall allocate the proportion of such expenditure to be contributed by the local authorities within the district in the manner hereinafter set forth:—

- 5 (1.) The aforesaid Council shall fix the amount of the contribution to be paid by each local authority respectively on an uniform or equivalent scale throughout the entire district, but proportioned as mentioned in the *next-succeeding* subsection; and may appoint the time and place for the payment thereof. No differential proportion of contributions shall be made in any district.
- 10 (2.) Contributions from each of such local authorities shall be proportioned to the rateable value of the rateable property, as defined in "The Rating Act, 1876," or "The Rating Act, 1882," in the district represented by each local authority respectively.
- 15 (3.) From the total estimated annual cost of maintaining the hospitals or homes in any district, as the case may be, the Council shall deduct the net annual income (from sources other than contributions of local authorities) estimated to be available for such purposes, and the remainder shall be the total amount to be allocated for contribution by the local authorities in such district.

Contributions to be fixed on uniform scale.

Contributions to be proportioned to rateable value of rateable property.

Amount of contributions by local authorities, how determined.

20 38. Any contributory local authority who shall deem the amount of any contribution required of it by the controlling Council to be unjust may appeal therefrom by transmitting a copy of any resolution expressing their dissent to the Colonial Secretary, who thereupon shall appoint the Inspector-General, or such other person as he shall think fit, to be a Commissioner to hold an inquiry.

Appeal.

30 The Commissioner aforesaid shall sit as a Court of inquiry, and shall have the powers of Commissioners under "The Commissioners' Powers Act, 1867," and shall report his decision to the Colonial Secretary, and such decision shall be final.

35 The costs of every appeal under this section shall be defrayed by the party to such appeal against whom the decision shall be given, and may be recovered from such party by the Colonial Secretary as a debt due to the Crown, or the amount may be stopped by the Colonial Treasurer out of any grant or subsidy which may at any time be payable under this or any other Act to such party.

Costs of appeal.

40 39. Every contributory local authority liable or willing to pay any contribution in aid or for the support of hospitals or homes, as the case may be, may pay the same out of the ordinary funds at its disposal, or may, if it thinks fit, raise the amount required by a rate to be struck for that purpose.

Local authority may pay contributions out of ordinary fund, or levy rate.

45 Every rate authorised under this Act shall be struck, made, levied, and collected in all respects, and with, under, and subject to the same powers, rights, and authorities in all respects, as such local authority may levy rates for general or ordinary purposes; and one half of such rate may and can be deducted by the occupier from any rent payable by him to the owner of the land and premises occupied by him and so rated.

50 Every rate leviable under this Act for hospital purposes may be made payable at the same dates and place as any rate leviable under this Act for homes, and the demand for all such rates, and (if deemed

advisable by the contributory local authority) for all instalments of such rates, payable for any year, may be made by the same notice.

Contributions in arrear may be recovered as a debt, or may be deducted from subsidies.

40. If any contributory local authority liable to pay any contribution authorised or required to be paid under this Act shall, for a period of one month, neglect or refuse to pay the same after the time prescribed for the payment thereof,— 5

(1). Such contribution may be recovered by the controlling Council in any Court of competent jurisdiction as a debt due by such local authority to the Council; or

(2.) On the application of the controlling Council, the Colonial Treasurer— 10

(a.) May deduct from the subsidies payable to such local authority under any Act or authority a sum equal to the amount of such contribution, or such part thereof as may be unpaid, and shall pay the same over to the Hospital Fund, or to the Charitable Aid Fund, as the case may be, in respect of which such failure shall have occurred; or 15

(b.) May require the Property-tax Commissioner to levy a rate for the said contribution in manner as prescribed in the *next-succeeding* section. 20

Property-tax Commissioner may levy contributions in districts where no rates levied.

41. If any contribution authorised or required to be paid under this Act within any part of a district cannot be recovered by reason of the absence of any local authority therein, and no subsidies or no sufficient subsidies being payable under any Act to any such local authority, or if any contributory local authority neglect or refuse to pay the same as mentioned in the *last-preceding* section, the Colonial Treasurer, on the application of the Council and on receiving from it an account of the amount of contribution required from such part of the district, shall send such account to the Property-tax Commissioner. 25 30

It shall be the duty of the Property-tax Commissioner forthwith upon the receipt of such account to raise, by means of rates upon all rateable property within any such part of a district as aforesaid, the amount stated in such account, together with the amount of the estimated cost of making and collecting such rates. 35

For the purpose of making and collecting any such rate, the assessment-roll made by the Property-tax Commissioner shall be deemed to be the valuation-roll of the rateable property in the aforesaid part of a district; and the Property-tax Commissioner shall be deemed to be a local body within the meaning of "The Rating Act, 1882," all the provisions whereof respectively, as the case may be, shall apply to the making and collecting any such rate. 40

All rates so raised shall be paid to the controlling Council of the district for which they were collected, less the amount of expenses for making and collecting the same, which shall be paid into the Public Account, and form part of the Consolidated Fund. 45

Application of bequests.

42. All gifts, bequests, and devises of property made for the benefit or endowment of any hospital, or benevolent institution mentioned in the *Third* Schedule to this Act, shall, in so far as circumstances will admit, be strictly applied in manner directed by the donors respectively; but in the absence of any such direction the proceeds therefrom shall be applied in such manner as the Council 50

Application of annual proceeds therefrom.

having the control of such hospital or institution under this Act shall direct for or towards some permanent improvement of such hospital or institution, or in procuring extra comforts for the inmates thereof.

5 43. All the estate and interest in any real and personal property belonging to any hospital, or benevolent institution as last aforesaid, at the time of the commencement of this Act, or held by or vested in any Board, Trustees, or persons in trust for or on behalf of any such hospital or institution, and all real and personal property which
10 may hereafter be conveyed, granted, or bequeathed to or on behalf of any such hospital or institution, shall be vested in the corporation of the Council having the control of such hospital or institution under this Act.

Property of hospital and benevolent institutions brought under Act to vest in controlling Council.

15 44. All such property as mentioned in the *last-preceding* section shall be held by the aforesaid Council for and upon the same trusts and purposes (subject to this Act) as are now or may hereafter be attached to the same, and subject to any contracts, leases, mortgages, or other debts or charges for the time being affecting it.

Saving of debts, liabilities, &c.

20 45. All contracts, agreements, and securities before the commencement of this Act entered into or made between any Board, Trustees, or other body or persons having the control or management of any hospital, or benevolent institution mentioned in the *Third* Schedule to this Act, and which immediately before such commencement as aforesaid were in force, shall take effect and may be proceeded
25 on and enforced, as near as circumstances will admit, in favour of, by and against, and with reference to the Council having the control of such hospital or institution under this Act.

Contracts, agreements, &c., may be enforced by or against controlling Council.

30 Nothing in this section contained shall give to any person any further or better remedy or right than he would have had if this Act had not been passed.

Status of parties not altered.

35 46. Any lands which have been reserved or set apart prior to the commencement of this Act, or which may be hereafter reserved or set apart, for the purposes of or as endowments for any hospital, or benevolent institution as last aforesaid, may be granted to the Corporation of the Council having the control of such hospital or institution under this Act, in trust for the hospital or institution for which the same have been so reserved or set apart, anything contained in "The Public Reserves Act, 1881," to the contrary notwithstanding; and for the purpose of making any such grant this Act
40 shall be deemed to be a special Act.

Provisions as to lands reserved previously to Act being brought into force.

45 47. The controlling Council may let any lands vested in them for hospital or for benevolent or charitable purposes, or any part thereof, not required for immediate use, at such rents and upon such terms and conditions as they shall determine.

Controlling Council may lease lands.

50 Any such leases for agricultural or pastoral lands shall be for any term not exceeding twenty-one years, and for town lands or lands used for building purposes be for any term not exceeding forty-two years, to take effect in possession forthwith and not at a future time, and so that an annual rent be reserved, payable at such times or periods as the said Council think fit:

Or the said Council may lease any land for any term not exceeding twenty-one years on the condition that at the end of that term the

- lease may be put up to auction for another term of years, and so on from time to time, the incoming tenant paying to the outgoing tenant the full value of all improvements on the land, such value to be determined by arbitration, as the Council may in the lease provide. Failing any purchase of such lease at the said auction, the former lessee shall be entitled to a renewal of his lease for another term of years not exceeding as aforesaid, subject to such rent as shall be fixed by arbitration between the said lessee and the said Council. 5
- Leases to be sold at auction.** 48. The leases of all such lands shall be sold by public auction or public tender, and at least *one* month's notice of such intended sale shall be publicly given, and all rents and profits derived from such sale of the leases granted in respect thereof shall form part of the fund of the hospital to which such lands belong. 10
- Application of proceeds.**
- Rent to be increased for extended leases.** 49. When any lease is for a longer term than twenty-one years the annual rent reserved by such lease for any period beyond the first twenty-one years shall be an advance at least of fifty per centum upon the annual rent payable under such lease during the last year of the expired twenty-one years: Provided that on no lease shall any premium, fine, or foregift be taken. 15
- Saving of existing leases.** 50. Nothing herein contained shall prejudice or affect any lease already granted or agreed to be granted under powers conferred upon any former Board or Trustees. 20
- The controlling Council shall, in respect of any such lease, have and exercise all the rights, remedies, and powers as though such lease had been duly made by the said Council to the lessee or lessees therein named. 25
- Maintenance.*
- Power to make contracts for maintenance, &c.** 51. The controlling Council may, in manner prescribed by the general law for the time being in force regulating the making of contracts by the Council making the same, make contracts for the maintenance, care, or attendance of inmates of any hospital or home under their control, or of any other place approved by them. 30
- Right of persons to claim hospital relief.** 52. It is hereby declared that every person suffering from any illness which makes him or her a fit case for hospital treatment is entitled to be admitted into the nearest or most convenient hospital for treatment, if there be room therein for such person, and whether or not he or she be resident within the district where such hospital is situate. 35
- In any case of doubt or dispute whether any illness is a fit case for hospital treatment the Inspector-General, or some person appointed by him, shall decide. 40
- Persons receiving relief liable for same.** 53. Every person maintained in or who is in the receipt of relief from any hospital, whether the same be supported wholly or partly only by public moneys, shall be liable to contribute a reasonable sum towards his maintenance therein, according to his means. 45
- The controlling Council, or any person authorised by them respectively in that behalf, are hereby authorised to sue for and may recover in any Court of competent jurisdiction such contribution as a debt due to the Corporation from the person so maintained in or in receipt of relief from such hospital.
- Near relative of inmate of hospital or home liable to contribute.** 54. Every person maintained in or who is in the receipt of relief from any hospital or home under this Act who has not sufficient means to pay for the same respectively shall be deemed to be a 50

destitute person within the meaning of "The Destitute Persons Act, 1889," and the provisions of the said Act shall apply accordingly.

55. If a hospital or home under this Act afford maintenance or relief to any person coming from beyond the district in which such hospital or home is situated, the Council having the control of such hospital or home may recover from the controlling Council of the district from which such person came the entire cost of such relief, if the person has resided in the last-mentioned district at least six months next before he entered the hospital or home from which he obtained relief; or if he has not so resided, but has previously resided in another district for any six months within the twelve months next before he entered the hospital or home as aforesaid, then the first-mentioned Council may recover the aforesaid cost from the controlling Council of the last-mentioned district, as the case may be.

As to relief afforded to persons coming from beyond contributing districts.

56. For the purposes of this Act in relation to the maintenance of persons in any hospital, home, or industrial school under the control of a Council, or in any State refuge under the direction of the Governor as hereinafter mentioned, or receiving relief therefrom, the Public Trustee shall be deemed to be a near relative of any such persons aforesaid respectively, in the place of their actual near relative who has died intestate; and he is hereby authorised and shall contribute, out of the estate in his hands of any such intestate person, towards the maintenance of the aforesaid persons respectively, in the same manner in all respects as the person so dying intestate would have been liable to contribute had he been alive.

Public Trustee to contribute in certain cases.

Out-door Relief.

57. The Council of any borough or county may, from time to time, on such terms and conditions as may appear expedient, appropriate such portion of the Borough or County Fund as they think fit for the purpose of providing out-door relief in any cases of sickness, indigence, or accident, or for the relief of sick, aged, infirm, or poor persons at their own homes, or in aid of any dispensary, or charitable or benevolent institution not under this Act, and whether maintained in the borough or county or beyond the limits thereof.

Borough and County Councils to provide outdoor relief from their funds.

Every Borough and County Council shall cause a return to be furnished to the Inspector-General, on or before the thirtieth day of April in each year, of all moneys spent by the said borough or county, in the year ending the thirty-first day of March last preceding, on account of out-door relief of every kind, including any expenditure on behalf of children not included in the accounts returned by any controlling Council.

Return of expenditure to be furnished.

Accounts and Audit.

58. Every controlling Council shall cause books to be provided and kept, and true and regular accounts to be entered therein, of all sums received and paid for and on account of this Act, and of the several purposes for which such sums of money shall have been received and paid.

Controlling Councils to keep books and accounts.

Separate accounts shall be kept—

- (1.) Of the rents or profits of any land specially set apart for the endowment of any hospital or home, and of the interest or

other produce of money or property given or bequeathed thereto, or derived from any other property vested in the Corporation under this Act; and all such rents or profits, and interest or other produce of money, shall be applied in and for the benefit of such hospital or home, as the case may be: 5

- (2.) Of moneys granted, voted, collected, or received for any hospital or home; and such moneys shall only be appropriated to the purposes for which the same shall have been granted, voted, collected, or received. 10

The accounts in respect of hospitals shall be kept distinct and separate from the accounts in respect of homes and charitable aid by every controlling Council which may have the control of both hospitals and charitable aid in any district.

Books to be balanced.

59. Every such Council shall cause their accounts to be balanced in every year to the thirty-first day of March in each year, and shall cause a true statement and account to be drawn out of all contracts entered into and of all moneys received or expended by virtue of this Act during the preceding year, and of all available assets of, and of all debts then owing by, such Council in respect of every hospital or home under their control. 15 20

Accounts to be audited.

All such accounts and balance-sheets shall be audited by the Controller and Auditor-General.

Separate returns of expenditure to be returned to Inspector-General.

60. Every controlling Council shall cause a return, in such form as may be prescribed from time to time, to be furnished to the Inspector-General, on or before the fifteenth day of April in each year, of all moneys received and spent by them in the district under their control on account of hospitals or charitable aid, as the case may be, during the year ending on the thirty-first day of March last preceding. 25 30

PART IV.

STATE REFUGES.

Governor may establish State refuges for drunkards, idlers, or tramps.

61. The Governor may from time to time, out of any moneys appropriated by the General Assembly for the purpose, establish and maintain in various parts of the colony one or more refuges for adult persons of either sex not suffering from contagious disease, into which may be admitted drunkards, idlers, or tramps, who or whose families are a burden or likely to become a burden on the local charities for an indefinite time; and may appoint all necessary officers and servants thereto respectively, and pay them such salaries or other remuneration as he shall think fit. 35 40

Persons answering to certain descriptions may be brought before Resident Magistrate and committed to a refuge.

62. On the complaint, on oath, of the Town Clerk of any borough, or Clerk of any County Council, or of the Clerk of any Road Board or Town Board in places where "The Counties Act, 1886," is suspended, or of any person acting in the stead of such Clerks respectively, that any adult person of either sex is a person coming within either of the definitions mentioned in the *last-preceding* section, a Resident Magistrate may, if the person against whom the complaint is lodged be not present, issue a warrant to cause such person to be brought before him on a day to be named therein. 45 50

When any such person is brought before any Resident Magistrate under this section, such Resident Magistrate may, after inquiry, and the hearing of such evidence as may be adduced before him, make an order in the prescribed form directing such person to be sent forth-
 5 with to a refuge as aforesaid, to be there detained for not less than twelve nor more than eighteen months, unless previously discharged under the provisions hereof.

The making of any order of committal of a person to a refuge shall not preclude the making of a similar order against the same
 10 person from time to time, as often as necessary.

63. If the medical officer in charge of any refuge certifies at any time before the expiration of the period for which any person is ordered to be detained at such refuge that he or she is capable and willing to earn his or her living outside of the said refuge, and that
 15 suitable work is provided for him or her, the Colonial Secretary, if in his discretion he shall think fit, may order the discharge of the said person.

Colonial Secretary may order discharge of inmate.

64. The manager of any refuge may, at any time on or within two months before the expiration of the term of any order of com-
 20 mittal, apply to the Resident Magistrate who issued the same, or to any other Magistrate acting in his stead, for a renewal of the said order for a further period not exceeding the term mentioned in the first order, and the Resident Magistrate, on hearing such application, may, at his discretion, grant or refuse to grant such order.

Manager may apply for renewal of order of commitment.

25 A like application may be made and a further order of committal for a like term be obtained in respect of the same person at any time within two months before the expiration of any renewed order.

65. In order to pay the cost of his or her maintenance every person admitted into a refuge as aforesaid shall be set to such work
 30 as is suited to his or her ability during the entire period for which, under the original order or any renewal thereof, he or she was committed to the said refuge.

Inmates of a refuge to be set to work according to their capacity.

66. Every person maintained in or who is in the receipt of relief from any State refuge under this Act, who has not sufficient means
 35 to pay for the same respectively, and is unable by his work to pay an equivalent for the same, shall be deemed to be a destitute person within the meaning of "*The Destitute Persons Act, 1889*," and the provisions of the said Act shall apply accordingly.

Near relative of inmate of refuge unable to work, liable to contribute.

The Manager for the time being of any refuge, or any person
 40 appointed by the Governor, either generally or for a particular case, shall have power to proceed for the recovery of contributions towards maintenance from any person liable under such Act for the same.

67. The Governor, in respect of any refuge under his control, may from time to time make, alter, or revoke regulations for the
 45 purposes hereinafter mentioned, and such regulations shall have the force of law:—

Governor may make regulations for control of inmates and management of refuge.

- (1.) For the conduct, management, supervision, and inspection thereof:
- (2.) For the classifying of the inmates thereof, and keeping certain
 50 of them separate and apart from others, either according to sex, or character, or antecedents, or otherwise:
- (3.) For the maintenance of order, discipline, decency, health, and cleanliness amongst the inmates thereof:

- (4.) For preventing trespass or intrusion upon the premises thereof, or the grounds attached or belonging thereto :
- (5.) For preventing disorderly behaviour in or upon the premises thereof by any person :
- (6.) For prohibiting the introduction of any articles whatsoever into any refuge : 5
- (7.) For obtaining orders for the maintenance of any inmate of a refuge who is unable to work for his own maintenance, upon persons who are by law liable to support their destitute relatives, and expenses incurred in connection with providing transport, outside medical assistance, and burial for any inmate of a refuge from persons liable to pay the same : 10
- (8.) For the employment of the inmates of a refuge, and for prescribing taskwork or other labour to be done by such inmates : 15
- (9.) For the infliction of punishment on, or the prosecution of, offenders against this Act or the regulations made in pursuance thereof :
- (10.) For prescribing the duties of the several officers of any refuge, and for keeping proper records, books, accounts, and vouchers, and furnishing copies thereof or returns therefrom : 20
- (11.) For prescribing the forms of all returns, orders, summonses, warrants, applications, or other documents needful to be used for the purposes of this Act : 25
- (12.) Generally for the proper and efficient control of any refuge, and the conduct of all officers and servants employed therein.

Any breach of a regulation may be punished by detention in a separate cell at the refuge, or by short diet, or by deprivation of some privilege, according to the character of such breach, or in such other way as may be prescribed by regulations. 30

One or more copies of all regulations shall, seven days at least before they come into operation, be affixed and maintained in some conspicuous place in every refuge or other place to which the same relate. 35

Absconding inmate may be taken before Resident Magistrate and imprisoned.

68. Any inmate absconded from a refuge may be immediately apprehended, without a warrant, by any constable, and forthwith taken before any neighbouring Resident Magistrate, who may deal with the case summarily and order such inmate to be imprisoned for any term not exceeding six months, and may further order that at the expiration of the said term the said inmate be taken back to the refuge from which he absconded. 40

Any term of imprisonment passed upon an inmate of a refuge who absconds therefrom shall not be reckoned as part of the term for which such inmate was committed to the said refuge. 45

Penalty for manager or other officer permitting escape of inmate.

69. Every manager of any refuge, or officer or servant thereof, who negligently or voluntarily permits any inmate thereof to escape therefrom, is liable on conviction thereof to a penalty not exceeding twenty pounds. 50

Penalty for person inducing inmate to abscond, or con-

70. Every person who directly or indirectly counsels or induces any inmate of a refuge to abscond therefrom before he has been

regularly discharged, or who, knowing any inmate to have absconded from any refuge, harbours or conceals, or assists in harbouring or concealing, such inmate, or prevents him from returning to such refuge, is liable on conviction thereof to a penalty not exceeding **5** *fifty* pounds.

cealing absconded inmate.

10 71. Every person who without lawful authority or excuse holds or attempts to hold any communication with any inmate of any refuge, or enters any such refuge, or any building or yard belonging thereto, and does not depart therefrom when required so to do by the manager or other officer or servant of such refuge, is liable on conviction to a penalty not exceeding *twenty* pounds.

Penalty for persons holding unlawful communication with inmate, or not leaving refuge when required by Manager.

PART V.

GENERAL PROVISIONS.

15 72. The Colonial Secretary shall from time to time fix and direct the particulars to be contained in, and the form, manner, and time of making, such return or returns as he may, for the due carrying-out of the provisions of this Act, deem proper, and may require any such return to be verified by a statutory declaration, and prescribe the person by whom the said declaration shall be **20** made.

Verified return of number of inmates of hospitals and homes to be made.

Every person who knowingly makes, or is a party to, or procures to be made, directly or indirectly, any false return under this Act, is liable to a penalty not exceeding *two hundred* pounds, which may be recovered, with costs, by civil action or proceeding, at the suit of **25** the Crown only, in any form allowed by law, and before any Court having jurisdiction to the amount of such penalty in cases of simple contract.

Penalty for making false return.

The penalty provided by this section shall be over and above any punishment to which any person is liable in respect of making a **30** false declaration.

73. The Governor may, by Order in Council gazetted, make general rules from time to time for the guidance of any Council having the control of any hospital or home under this Act, and by such rules, among other matters, may prescribe—

Governor may make rules for direction of controlling Councils.

- 35** . (1.) The nature and extent of the accommodation and treatment of the inmates of any such hospital or home to entitle the controlling Council thereof to any grant-in-aid ; or
- (2.) The persons in respect of whom any grant-in-aid shall be given ; or
- 40** (3.) The inspection generally of hospitals and homes, and the rectification of any matter or thing which may from time to time be found to be amiss therein ; or
- (4.) The proper cases for treatment in hospitals or admission into homes respectively, and the nature of any provision **45** to be made in any buildings for cases requiring special treatment or accommodation ; or
- (5.) The securities upon which any moneys belonging to a hospital or home may from time to time be invested ; or
- 50** (6.) The form of accounts to be kept by any controlling Council, and of the returns of such accounts to be furnished, and the person to whom they are to be furnished.

All such rules shall come into force on gazetting, and shall have the force of law and be binding upon all controlling Councils and persons intended to be affected thereby, and shall supersede all by-laws repugnant thereto made by any such Council or other local authority.

In any case of non-observance of or non-conformity with any such rules by any controlling Council the Governor may direct the Colonial Treasurer to suspend the payment of any grant-in-aid payable to such Council until they have conformed with the said rules, and the Colonial Treasurer is hereby required to conform with every such direction of the Governor.

Controlling Councils may apply money for hire or purchase or erection of hospitals or homes.

74. The controlling Council may from time to time provide money—

- (1.) For the hire and maintenance of any building, with all necessary outhouses and enclosures, for temporary use as a hospital or home; or
- (2.) For the repairs or alterations of any existing or future building; or
- (3.) For making additions exceeding *two hundred* pounds in cost to any existing hospital; or
- (4.) For the purchase or erection of an additional hospital or a branch hospital in the district; and
- (5.) Generally in payment of all salaries, charges, and expenses incurred by the Council in carrying out this Act.

Proposal to be assented to by local authorities in district.

The said Council may prepare plans of any building or additional buildings proposed to be erected or purchased which they deem suitable for either of such purposes, and shall submit their proposal, with the said plans, to the various contributory local authorities in the district for their approval and consent; and such consent shall be considered to be had if the consent of the local authorities representing a majority in value of the rateable property in the district be given thereto.

If any local authority object to any proposed building or plans, they may refer their objection to the Inspector-General, who shall decide on the case.

If any local authority refuse or neglect to express their assent to or dissent from any proposal or plans as aforesaid within three months from the time when sent to them, their assent may be implied as being given thereto.

Plans to be approved by Inspector-General.

But the plans of all buildings proposed to be hired, altered, purchased, or erected shall be submitted to the Inspector-General, and shall be approved by him, or altered according to his direction, and his assent obtained to the work as necessary, before the building is hired or the work is commenced.

Cost of new erections may be advanced by Colonial Treasurer, repayable within ten years by equal annual instalments.

75. Where it appears to the Colonial Secretary that any outlay for the erection of any new buildings for a hospital or home, or for addition or extension of existing buildings, which the Inspector-General shall deem necessary, would be too great to levy in any district in any one year, he may refer the case to the Colonial Treasurer, who thereupon may advance from time to time, by way of loan, any sum not exceeding pounds, to be repaid by equal annual instalments within not more than ten years.

Each such instalment shall be included and estimated within the annual cost of maintaining hospitals or homes, as the case may be, within the district by the controlling Council thereof.

- 5 76. On the petition of the local authorities in a district, representing a majority in value of the rateable property therein, the Governor, by Order in Council gazetted,—
- 10 (1.) May transfer the control of the hospitals or homes in such district from the controlling Council thereof to another local authority therein, who shall become the controlling Council in the said district of hospitals or homes, or of both, as the case may require ;
- 15 (2.) May merge the whole of the district, or any part thereof for hospital purposes and for charitable aid, or for one of such purposes only, in any adjacent district or districts, and thereupon every local authority within the original district shall become a contributory local authority in the district in which they become merged for such purposes, or either of them, as the case may require ; and
- 20 (3.) May close any hospital or home within the district : but no such Order in Council shall take effect until the first day of April or October next succeeding the gazetting thereof.
- 25 77. Where the control of the hospitals or homes in any district is transferred from one local authority to another in the same district, all real and personal property of the first-named authority as controlling Council of the district shall vest in the new controlling Council on the day of the taking effect of the Order in Council making such transfer, and all the debts, contracts, claims, assets, and liabilities of the first-named controlling Council shall become the
- 30 Council taking its place.
- 35 78. Where any district becomes merged in another district or districts, then on the day of the taking effect of such merger all the real and personal property and the debts, contracts, claims, assets, and liabilities of the merged district on such day shall be vested in or become debts, contracts, claims, assets, and liabilities of the district with which it is merged, or, if merged with more than one district, shall be apportioned among the last-mentioned districts in manner as shall be allocated by such person as the Governor may appoint for the purpose.
- 40 79. The Mayor of every borough and Chairman of every county who wilfully neglects or refuses to comply with the provisions of sections *fifty-seven* or *sixty* in respect of furnishing the returns thereby respectively required is liable to a penalty of *five* pounds for every such neglect or refusal.
- 45 80. The Governor may from time to time appoint an Inspector-General, and one or more persons, as he shall think fit, to be an Inspector or Inspectors respectively of one or more hospitals, homes, or refuges under this Act.

On petition,
Governor—

May transfer control
from one local
authority to another;

May amalgamate
districts ;

May close hospital
or home.

Property to vest in
new Council on
transfer.

Allocation of
property and assets
when districts
amalgamated.

Penalty on Mayor
or Chairman
neglecting or
refusing to furnish
returns.

Governor may
appoint Inspectors
of institutions

50 The Inspector-General and all Inspectors of institutions appointed under any Act hereby repealed and holding office at the commencement of this Act shall be deemed respectively the Inspector-General and Inspectors under this Act, and to have been appointed under this Act, without further appointment.

Visitations by
Inspectors.

81. The Inspector-General and every Inspector may, without previous notice, visit any hospital, home, or refuge under this Act for which he has been appointed, at any time he shall think fit; and any person refusing or obstructing any such Inspector in his visitation shall be liable to a penalty not exceeding *fifty* pounds, to be recovered in a summary way. 5

Penalty for obstructing
Inspectors.

Annual report by
Inspector to be
submitted to
Parliament.

82. The Inspector-General shall, on or before the thirtieth day of June in each year, or as soon thereafter as may be, send a report to the Colonial Secretary on the condition of the several hospitals, homes, and refuges visited by him within the preceding twelve months, which shall be laid before Parliament, if in session, within a fortnight after the receipt thereof, and, if not, then as early as may be when the same is in session; and may make special reports to the Colonial Secretary from time to time, as he shall think fit. 10

Actions by or
against controlling
Council.

83. All actions, suits, or other proceedings to be commenced or prosecuted against any hospital or home under this Act shall be brought or prosecuted by or against the Corporation of the borough or county the Council whereof has the management thereof; and all goods, chattels, and effects belonging to any such hospital or home shall be deemed and taken to be the property of the Corporation aforesaid for all or any of the purposes of any action, suit, or other proceeding. 15

If Act deficient
Governor may make
regulations.

84. Where there is any omission in the Act, or where no provision or no sufficient provision shall, in the opinion of the Governor, be made, the Governor may from time to time make and prescribe all such regulations and orders, either general or applicable to particular cases only, as he shall think fit, for the purpose of facilitating or more effectively carrying into execution the provisions of this Act. 20

Recovery of
penalties.

85. All penalties under this Act may be recovered in a summary way, as provided by "The Justices of the Peace Act, 1882." 30

Repeals.

Fourth Schedule.

86. Upon the commencement of this Act the several Acts and parts of Acts enumerated in the *Fourth* Schedule hereto shall be repealed.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

NORTH OF AUCKLAND DISTRICT.

Sec. 6.

ALL that area in the colony, being the Mangonui, Whangaroa, Bay of Islands, Hokianga, Whangarei, Hobson, and Otamatea Counties, and including all boroughs therein.

AUCKLAND DISTRICT.

All that area in the colony, being the Rodney, Waitemata, Eden, and Manukau Counties, and including all boroughs therein.

WAIKATO DISTRICT.

All that area in the colony, being the Waikato, Waipa, Raglan, and Piako Counties, and including all boroughs therein.

COROMANDEL DISTRICT.

All that area in the colony, being the Coromandel County.

THAMES DISTRICT.

All that area in the colony, being the Thames and Ohinemuri Counties, and including all boroughs therein.

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BAY OF PLENTY DISTRICT.

All that area in the colony, being the Tauranga, Rotorua, and Whakatane Counties, and including all boroughs therein.

GISBORNE DISTRICT.

All that area in the colony, being the Cook County, and including all boroughs therein.

Wairoa DISTRICT.

All that area in the colony, being the Wairoa County, and including all boroughs therein.

NAPIER DISTRICT.

All that area in the colony, being Hawke's Bay County, and including all boroughs therein.

WAIPAWA DISTRICT.

All that area in the colony, being the Waipawa and Patangata Counties, and including all boroughs therein.

MASTERTON DISTRICT.

All that area in the colony, being the Wairarapa North and Pahiatua Counties, and including all boroughs therein.

GREYTOWN DISTRICT.

All that area in the colony, being the Wairarapa South County, and including all boroughs therein.

WELLINGTON DISTRICT.

All that area in the colony, being the Horowhenua and Hutt Counties, and including all boroughs therein.

PALMERSTON NORTH DISTRICT.

All that area in the colony, being the Manawatu and Oroua Counties, and including all boroughs therein.

WANGANUI DISTRICT.

All that area in the colony, being the Rangitikei, Wanganui, and Waitotara Counties, and including all boroughs therein.

PATEA DISTRICT.

All that area in the colony, being the Patea County, and including all boroughs therein.

TARANAKI DISTRICT.

All that area in the colony, being the Hawera, Taranaki, and Clifton Counties, and including all boroughs therein.

PICTON DISTRICT.

All that area in the colony, being the Sounds County and the Picton, Pelorus, and Havelock Ridings of the Marlborough County, together with Arapawa and other adjacent islands, and including all boroughs therein.

BLENHEIM DISTRICT.

All that area in the colony, being the Omaka, Spring Creek, Wairau, and Awatere Ridings of the Marlborough County, and including all boroughs therein.

NELSON DISTRICT.

All that area in the colony, being the Collingwood and Waimea Counties, and including all boroughs therein.

WESTPORT DISTRICT.

All that area in the colony, being the Wareatea North, Lyell, and Karamea Ridings of the Buller County, and including all boroughs therein.

CHARLESTON DISTRICT.

All that area in the colony, being the Charleston and Wareatea South Ridings of the Buller County, and including all boroughs therein.

REEFTON DISTRICT.

All that area in the colony, being the Inangahua County, and including all boroughs therein.

GREY RIVER DISTRICT.

All that area in the colony, being the Grey County, and including all boroughs therein.

KUMARA DISTRICT.

All that area in the colony, being the Arahura Riding of the Westland County, and including all boroughs therein.

HOKITIKA DISTRICT.

All that area in the colony, being the Kanieri Riding of the Westland County, and including all boroughs therein.

ROSS DISTRICT.

All that area in the colony, being the Totara, Okarito, and Jackson's Bay Ridings of the Westland County, and including all boroughs therein.

NORTH CANTERBURY DISTRICT.

All that area in the colony, being the Kaikoura, Amuri, Cheviot, Ashley, and Selwyn Counties, and including all boroughs therein.

AKAROA DISTRICT.

All that area in the colony, being the Akaroa County, and including all boroughs therein.

ASHBURTON DISTRICT.

All that area in the colony, being the Ashburton County, and including all boroughs therein.

TIMARU DISTRICT.

All that area in the colony, being the Geraldine and Mackenzie Counties, and including all boroughs therein.

WAIMATE DISTRICT.

All that area in the colony, being the Waimate County, and including all boroughs therein.

OAMARU DISTRICT.

All that area in the colony, being the Waitaki County, and including all boroughs therein.

NASEBY DISTRICT.

All that area in the colony, being the Maniototo County, and including all boroughs therein.

DUNSTAN DISTRICT.

All that area in the colony, being the Matakanaui, Manuherikia, Earnsleugh, and Dunstan Ridings of the Vincent County, and including all boroughs therein.

CROMWELL DISTRICT.

All that area in the colony, being the Clutha, Lindis, Carrick, and Hawea Ridings of the Vincent County, and including all boroughs therein.

LAWRENCE DISTRICT.

All that area in the colony, being the Tuapeka County, and including all boroughs therein.

DUNEDIN DISTRICT.

All that area in the colony, being the Waihemo, Waikouaiti, Peninsula, Taieri, Bruce, and Clutha Counties, and including all boroughs therein.

SOUTHLAND DISTRICT.

All that area in the colony, being the Southland and Stewart Island Counties, and including all boroughs therein.

RIVERTON DISTRICT.

All that area in the colony, being the Wallace County, and including all boroughs therein.

WAKATIPU DISTRICT.

All that area in the colony, being the Kingston, Greenstone, Shotover, and Queenstown Ridings of the Lake County, and including all boroughs therein.

ARROW DISTRICT.

All that area in the colony, being the Matukituki, Cardrona, and Arrow Ridings of the Lake County, and including all boroughs therein.

SECOND SCHEDULE.

Sec. 6.

Name of District.	Controlling Council.
Akaroa	Akaroa Borough Council.
Arrow	Arrow Borough Council.
Ashburton	Ashburton Borough Council.
Auckland	Auckland City Council.
Bay of Plenty	Tauranga Borough Council.
Blenheim	Blenheim Borough Council.
Charleston	Buller County Council.
Christchurch	Christchurch City Council.
Coromandel	Coromandel County Council.
Cromwell	Cromwell Borough Council.
Dunedin	Dunedin City Council.
Dunstan	Vincent County Council.
Gisborne	Gisborne Borough Council.
Grey River	Greymouth Borough Council.
Greytown... ..	Greytown Borough Council.
Hamilton	Hamilton Borough Council.
Kumara	Kumara Borough Council.
Lawrence	Lawrence Borough Council.
Masterton	Masterton Borough Council.
Napier	Napier Borough Council.
Naseby	Naseby Borough Council.
Nelson	Nelson Borough Council.
New Plymouth	New Plymouth Borough Council.
North of Auckland... ..	The several Borough and County Councils.
Oamaru	Oamaru Borough Council.
Palmerston North	for hospital purposes.
	for charitable aid purposes.
Patea	Patea Borough Council.
Picton	Picton Borough Council.
Reefton	Inangahua County Council.
Southland	Invercargill Borough Council.
Thames	Thames Borough Council.
Timaru	Timaru Borough Council.
Totara	Ross Borough Council.
Waimate	Waimate County Council.
Waipawa	Waipawa County Council.
Wairoa	Wairoa County Council.
Wakatipu... ..	Lake County Council.
Wallace	Riverton Borough Council.
Wanganui	Wanganui Borough Council.
Wellington	Wellington City Council.
Westland	Hokitika Borough Council.
Westport	Westport Borough Council.

THIRD SCHEDULE.

Sec. 9.

BENEVOLENT INSTITUTIONS TRANSFERRED TO LOCAL AUTHORITIES AS HOMES
UNDER ACT.

Institution.	Controlling Council.
Old Men's Home, Auckland ...	Auckland City Council.
Old Women's Home, Auckland ...	"
Thames Orphanage ...	Thames Borough Council.
Old Men's Refuge, Thames ...	"
Taranaki Benevolent Society ...	New Plymouth Borough Council.
Wellington Benevolent Society ...	Wellington City Council.
Wellington Society for the Relief of the Aged Needy ...	"
Lyttelton Orphanage ...	Christchurch City Council.
Christchurch Female Refuge ...	"
Armagh Street Dépôt, Christchurch ...	"
Jubilee Home, Woolston ...	"
Old Men's Home, Ashburton ...	Ashburton Borough Council.
North Otago Benevolent Society, Oamaru ...	Oamaru Borough Council.
Otago Benevolent Society, Dunedin ...	Dunedin City Council.
Female Refuge, Dunedin ...	"
Old People's Refuge, Invercargill ...	Invercargill Borough Council.

FOURTH SCHEDULE.

ACTS REPEALED.

Sec. 86.

- 1885, No. 46.—The Hospitals and Charitable Institutions Act, 1885.
 1886, No. 36.—The Hospitals and Charitable Institutions Act 1885 Amend-
 ment Act, 1886.
 1886, No. 49.—The Counties Act, 1886. *In part, namely, section two hundred
 and ninety.*
 1886, No. 50.—The Municipal Corporations Act, 1886. *In part, namely, section
 four hundred and eight.*
 1887, No. 16.—The Sounds County Hospital Representation Act, 1887.

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