

Mr. Walker.

HOSPITALS AND CHARITABLE INSTITUTIONS ACT
1885 AMENDMENT (No. 2).

ANALYSIS.

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A BILL INTITULED

AN ACT to amend "The Hospitals and Charitable Institutions Act, 1885." Title.

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

1. The Short Title of this Act is "The Hospitals and Charitable Institutions Act 1885 Amendment Act (No. 2), 1888." Short Title.

2. The Council or Councils of any county or counties, or, where the Counties Act is suspended, the Boards of the several road districts within such county or counties, together with the Council or Councils of any borough or boroughs and the Town Board or Boards of any town district or town districts, or a majority of such Councils and Boards forming one continuous and undivided area, may petition the Governor for the formation of such county or counties, together with such borough or boroughs, town district or town districts, into a new hospital and charitable aid district. County Councils or Road Boards may petition.

3. Notice of such petition shall be published by the Governor in the *New Zealand Gazette*, and if the District Board of the district of which such proposed new district has theretofore formed part, or the Council or Board of any county, borough, road district, or town district proposed to be included in the proposed new district shall object to the formation of such new district or to inclusion therein, a counter-petition may be presented to the Governor within thirty days of the publication of such notice. Petition to be gazetted, and counter-petition may be received.

4. If no counter-petition be presented as aforesaid, the Governor in Council may by Proclamation appoint that from and after a date to be named in such Proclamation the petitioning county or counties, together with its or their boroughs and town districts, shall be constituted a new hospital and charitable aid district, and may appoint the name of such district and the number of members of the District New district may be proclaimed if no counter-petition.

Board thereof, and the number of members of the District Board for the remainder of the district of which such new district originally formed part, and the manner in which such members shall be elected, and may provide for the division and apportionment between the new district so created and the Board of the district of which it originally formed part of all assets and liabilities of the Board of such original district, and may do and perform all such acts, matters, and things as may be necessary to give effect to the provisions of this Act: Provided always that no new district shall be constituted which shall contain a population of less than three thousand persons. 10

Where counter-petition, poll of ratepayers to be taken.

5. When a counter-petition shall have been presented, as in section *three* of this Act provided, the Governor shall appoint a day for the taking of a poll of ratepayers throughout the whole area proposed to be constituted a new hospital and charitable aid district, and may make all necessary regulations and provisions with regard to the taking of such poll, and if upon the poll being taken it shall appear that by a majority of not less than three-fourths of the total number of votes recorded, the proposal for the formation of a new district is affirmed, then the Governor shall proceed to proclaim such new district, and may exercise all the powers and functions in that behalf in section four of this Act mentioned. 15 20

Case when no hospital exists.

6. If at time of the petition mentioned in section *three* of this Act there shall be no hospital situated within the petitioning county or counties, or within any borough or town district therein, the Governor shall prescribe a time within which sufficient hospital accommodation shall be erected or provided, and upon being satisfied that the same has been so provided, may thereafter, and subject to the provisions of this Act, proclaim a new hospital and charitable aid district as in section *four* of this Act provided. 25

Amendment of Act of 1885.

7. Section twenty-five of "The Hospitals and Charitable Institutions Act, 1885," shall be read as if the words following were added thereto: "the proceedings on such inquiry shall not be removed into the Supreme Court under any writ or process whatsoever." 30