

1967/144



THE HOSPITAL BOARDS AND COMMITTEES OF MANAGEMENT REGULATIONS 1959, AMENDMENT NO. 1

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 5th day of July 1967

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Hospitals Act 1957, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Hospital Boards and Committees of Management Regulations 1959, Amendment No. 1, and shall be read together with and deemed part of the Hospital Boards and Committees of Management Regulations 1959* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. New Part IV of the principal regulations substituted—The principal regulations are hereby amended by revoking Part IV, and substituting the following Part:

“PART IV—COMMITTEES OF MANAGEMENT GENERALLY

“28. **Interpretation**—(1) In this Part of these regulations—

‘The Act’ means the Hospitals Act 1957:

‘Board’ means the Hospital Board for the hospital district within which the hospital committee area is situated:

‘Committee’ means a hospital committee established by Order in Council made under section 58 of the Act to manage any one or more of the institutions situated within the hospital committee area:

'Constituent district' means a constituent district of a hospital committee area; and includes a combined constituent district:

'Hospital committee area' means an area declared by Order in Council made under section 58 of the Act to be a hospital committee area:

'Local authority' means the City Council, the Borough Council, the County Council, the Town Council, or, as the case may be, the Road Board of any constituent district.

"(2) This Part shall apply to the local committees of management for Waimate Hospital and Picton Hospital only in so far as it relates to matters not provided for by Parts II and III of these regulations.

"29. **Appointment of members of committee**—(1) Every appointment to a committee by a local authority shall be made at a meeting of the local authority in respect of which reasonable notice of the intention to make the appointment has been given to the members of the local authority.

"(2) For the purpose of making those appointments, a meeting of each appointing local authority shall be held as soon as practicable after the date on which the members of the local authority elected at an ordinary general election of members of the local authority come into office.

"(3) Notwithstanding anything in subclause (2) of this regulation, where, pursuant to section 17 of the Act, a new hospital district is constituted and by the Order in Council constituting the new district or by a subsequent Order in Council any hospital committee area is established with effect from a date more than three months before the date of the next ordinary general election of members to the local authority, the first appointments of the members of the committee shall be made as soon as practicable after the first-mentioned date, and for this purpose regulation 30 of these regulations shall apply as if the members of the local authority had come into office on that date.

"30. **Appointment of members by Governor-General in default of appointment by local authority**—Where any local authority fails to appoint the required number of members of a committee to be appointed by the local authority within two months after the date on which the members of the local authority elected at an ordinary general election of members came into office, the Governor-General may appoint as representatives on the committee as many qualified persons as the local authority in default is required to appoint; and the persons so appointed shall hold office in all respects as if they had been duly appointed by the local authority.

"31. **Duration of office of appointed members**—Every member of a committee appointed by a local authority shall come into office on the date of his appointment, and, unless he sooner vacates office pursuant to section 58 (7) of the Act, shall hold office until the expiration of one month after the date on which all the members of that local authority elected at the next ordinary general election of members of the local authority have come into office pursuant to section 7 of the Local Elections and Polls Act 1966 or until his successor is appointed, whichever first occurs. Any such member may be reappointed.

“32. Extraordinary vacancies—The provisions of sections 34 and 35 of the Act shall, with the necessary modifications, apply with respect to the appointed members of each committee as if the committee were a Hospital Board whose district comprised the districts of the local authorities entitled to appoint members of that committee, and as if any constituent districts declared to be combined, pursuant to an Order in Council made under section 58 (6) of the Act, together formed one constituent district.

“33. Filling of extraordinary vacancies—(1) In the event of an extraordinary vacancy in the office of an appointed member of any committee, the local authority by which that member was appointed shall appoint a duly qualified person to fill the vacancy.

“(2) If no such appointment is made within two months after the occurrence of the vacancy, the Governor-General may make the required appointment.

“(3) Any person appointed under this regulation shall, subject to the provisions of regulation 32 of these regulations, hold office during the remainder of the term of office of the member in whose place he was appointed.

“34. Meeting of committees—(1) Meetings of a committee shall be held at such times and places as the committee appoints from time to time:

“Provided that the chairman may at any time call a special meeting of the committee, and shall call such a meeting when called upon to do so by a majority of the members of the committee.

“(2) At every meeting of the committee the chairman, if present, shall preside.

“(3) If the chairman is absent from any meeting, or if for the time being there is no chairman, the members present shall appoint one of their number to act as chairman of the meeting, and the member so appointed shall have the same powers at that meeting as if he were chairman of the committee:

“Provided that, if one or more members of the committee present at the meeting are also members of the Board, that member, or, as the case may be, such of those members as the members of the committee present appoint, shall be the chairman of that meeting.

“(4) Every question coming before a committee shall be decided by the votes of a majority of the members present. Voting shall be by show of hands, but any two members may demand a poll.

“(5) The chairman shall have a deliberative vote, and, in any case in which the votes are equal, shall have a casting vote.

“(6) No business shall be transacted at any meeting, unless at least a quorum of members is present at the meeting during the whole of the time when business is being transacted.

“(7) A quorum shall consist of a majority of the total number of members of the committee (irrespective of any extraordinary vacancies).”

3. Revocation—The First Schedule to the principal regulations is hereby revoked.

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations substitute a new Part IV in the principal regulations in place of the existing one which prescribes the constitution of the several local committees of management of the Northland Hospital District, and certain other matters relating to those committees. The Part being substituted provides generally for the mode of appointment and tenure of office of members of all hospital committees established by Order in Council made under section 58 of the Hospitals Act 1957, and also for the filling of vacancies on those committees, and for the manner in which they conduct their proceedings. The hospital committees of the Northland Hospital District are being dealt with in a separate Order in Council.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 6 July 1967.

These regulations are administered in the Department of Health.