

Hon. Miss Howard

HOSPITALS AMENDMENT

ANALYSIS

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A BILL INTITULED

AN ACT to Amend the Hospitals and Charitable Institutions Act, 1926. Title.

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

1. This Act may be cited as the Hospitals Amendment Act, 1948, and shall be read together with and deemed part of the Act heretofore known as the Hospitals and Charitable Institutions Act, 1926 (hereinafter referred to as the principal Act). Short Title.

See Reprint of Statutes, Vol. III, p. 725

Altering titles
of principal
Act and
amending Acts.
See Reprint
of Statutes,
Vol. III, p. 794
Ibid., p. 795
1932, No. 22

1936, No. 50

1947, No. 9

2. (1) The principal Act may hereafter be cited as the Hospitals Act, 1926; the Hospitals and Charitable Institutions Amendment Act, 1928, may hereafter be cited as the Hospitals Amendment Act, 1928; the Hospitals and Charitable Institutions Amendment Act, 1929, may hereafter be cited as the Hospitals Amendment Act, 1929; the Hospitals and Charitable Institutions Amendment Act, 1932, may hereafter be cited as the Hospitals Amendment Act, 1932; the Hospitals and Charitable Institutions Amendment Act, 1936, may hereafter be cited as the Hospitals Amendment Act, 1936; and the Hospitals and Charitable Institutions Amendment Act, 1947, may hereafter be cited as the Hospitals Amendment Act, 1947.

(2) The said Acts and all other Acts are hereby consequentially amended by omitting the words "and Charitable Institutions" from all references to the titles of the Acts referred to in the *last preceding* subsection.

Committees of Management in Amalgamated Districts

Interpretation.

3. For the purposes of the *next two succeeding* sections—

"Board", in relation to any institution, means the Hospital Board of the district in which that institution is situated:

"Committee", in relation to any institution, means the committee appointed by Order in Council under the provisions of the *next succeeding* section for the management of that institution.

Appointment of
committees of
management in
amalgamated
districts.
1932, No. 22
1944, No. 30

4. (1) Where pursuant to section ten of the principal Act, or to section three of the Hospitals Amendment Act, 1932, or to section forty of the Finance Act (No. 3), 1944, any two or more hospital districts are by Order in Council abolished and a smaller number of new hospital districts or one new hospital district is constituted, the Governor-General may by the same Order in Council or by a subsequent Order in Council establish a committee for the management of any one or more institutions in any hospital district so abolished.

(2) The committee shall consist of such number of persons as shall be specified in the Order in Council:

Provided that a majority of the members of the committee shall be persons appointed by such of the
5 contributory local authorities in the hospital district as the Governor-General by Order in Council determines, having regard, in such manner as he thinks fit, to the relative populations of the districts of the contributory local authorities and also to the relative values
10 of the rateable property in those districts:

Provided also that the Governor-General may by Order in Council determine that any two or more contributory local authorities shall combine to appoint one or more members of the committee.

15 (3) Every person who is a member of the Board as representing any part of a hospital district in which is situated any institution in respect of which a committee of management is appointed as aforesaid shall, so long as he continues so to be a member of the Board,
20 be a member of the committee and shall also be the Chairman of the committee. Where two or more persons are members of a committee by virtue of being members of the Board, the committee shall appoint one of those members to be the Chairman of the
25 committee.

(4) Subject to the foregoing provisions of this section, the constitution and proceedings of any such committee and the mode of appointment and tenure of office of the members thereof shall be such
30 as may be provided by the Order in Council establishing the committee or by regulations made under the principal Act:

Provided that no person shall be qualified to become or to continue to be a member of a committee who
35 would be disqualified by virtue of any enactment for the time being in force from becoming or continuing to be a member of the Board for the hospital district.

5. (1) Every committee established under the *last preceding* section shall have the management of every
40 institution in the district for which it is appointed, and shall have in respect of every such institution such of the powers of the Board as may be determined

Powers of committees.

from time to time by the Governor-General by Order in Council. All powers so vested in any committee may be exercised by it on behalf of the Board subject to such conditions and restrictions as may be imposed by any such Order in Council. 5

(2) All the acts and proceedings of any such committee shall be reported to the Board and, except so far as may be otherwise provided by the Order in Council establishing the committee or by regulations made under the principal Act, shall not have any operation or effect until approved at a meeting of the Board. 10

(3) The provisions of section thirty-five of the principal Act shall, with the necessary modifications, extend to authorize the payment by a Hospital Board of travelling-allowances to any member of a committee established under the *last preceding* section, notwithstanding that he may not be a member of the Board. 15

Miscellaneous Provisions

Amending provisions as to appointments of officers of the Board.

6. (1) Section thirty-eight of the principal Act is hereby amended by omitting from subsection one the words "until the expiration of twenty-one days after the Minister has been notified of the intention to make such appointment, unless the Minister has previously", and substituting the words "unless the Minister has previously on the application of the Board". 20 25

(2) Section thirty-eight of the principal Act is hereby further amended by repealing subsection two, and substituting the following subsection:—

"(2) With every such application for the approval of the Minister the Board shall forward to the Minister a list of the applicants, together with such further information as the Minister may from time to time require." 30

Amending provisions as to signing of cheques.

7. Section sixty-three of the principal Act is hereby amended by omitting the words "any two of such members", and substituting the words "any one of such of the members". 35

Board may establish children's nurseries.

8. Section seventy-five of the principal Act is hereby amended by inserting in subsection one, after paragraph (g), the following new paragraph:— 40

"(gg) A residential nursery or a day nursery for the reception and temporary care of young children:".

9. (1) Section eighty-five of the principal Act is hereby amended by repealing paragraph (n), as enacted by section twenty-three of the Statutes Amendment Act, 1938, and substituting the following new paragraphs:—

Amending provisions as to expenditure by Boards.
1938, No. 20

5 “(n) The payment, subject to the approval of the Minister, of salaries, grants, or travelling-expenses to any servant of the Board while undergoing a special course of study or training, whether in New Zealand or elsewhere, or while attending any conference or meeting, that in the opinion of the Board will render him better fitted to carry out his duties for the Board:

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15 “(o) The payment, subject to the approval of the Minister, of salaries and travelling-expenses to any servant of the Board, while carrying out any investigation or inspection outside New Zealand on behalf of the Board.”

20 (2) Section twenty-three of the Statutes Amendment Act, 1938, is hereby consequentially repealed.

Repeal.

25 10. (1) Regulations made under paragraph (a) of section eighteen of the Finance Act (No. 2), 1946, increasing the rates of salaries, wages, and other emoluments and increments payable in respect of the classes of persons referred to in that paragraph, may be made so as to come into force on any date specified therein in that behalf, whether before or after the date of the making of the regulations.

Regulations as to salaries of Hospital Board employees may be made retrospective.
1946, No. 41

30 (2) All payments made before the passing of this Act by any Hospital Board with the approval of the Minister applying retrospectively the provisions of the Hospital Employment Regulations 1948 are hereby validated and declared to have been lawfully made.

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