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*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
6th November, 1920.*

*Hon. Mr. Parr.*

HOSPITALS AND CHARITABLE INSTITUTIONS  
AMENDMENT (No. 2).

ANALYSIS.

<p>Title.</p> <p>1. Short Title Commencement.</p> <p>2. Interpretation. Consequential repeal.</p> <p>3. Director-General of Health to be Inspector-General of Hospitals. Consequential amendment.</p> <p>4. Hospital and Charitable Aid Boards hereafter to be known as Hospital Boards.</p> <p>5. Remuneration of Chairman.</p> <p>6. Hospital Boards may be required to appoint doctors and nurses for treatment of persons, whether in hospitals or elsewhere.</p> <p>7. Section 43 of principal Act amended.</p> <p>8. Section 45 of principal Act amended.</p> <p>9. Section 46 of principal Act amended.</p> <p>10. Borrowing-powers of Boards defined.</p> <p>11. Additional powers of expenditure of Board's funds.</p> <p>12. Moneys available for capital and maintenance expenditure respectively not to be diverted for other purposes.</p>	<p>13. Further restrictions on Board's powers of expenditure.</p> <p>14. Additional powers of Board to make by-laws.</p> <p>15. Section 69 of principal Act (relative to accounts to be kept by Board) amended.</p> <p>16. Contracts under subsection (4) of section 70 of principal Act to be subject to approval of Minister.</p> <p>17. Section 72 of principal Act amended.</p> <p>18. Extension of powers of inspection of institutions.</p> <p>19. Director of Hospitals may summon meetings of Hospital Board.</p> <p>20. Repeal.</p> <p>21. Repeals.</p> <p>22. Provisions applicable to separate institutions.</p> <p>23. Power to make regulations for benefit of nurses.</p> <p>24. Section 2 of Hospitals and Charitable Institutions Amendment Act, 1915, amended.</p>
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A BILL INTITULED

AN ACT to amend the Hospitals and Charitable Institutions Act, Title. 1909.

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

1. (1.) This Act may be cited as the Hospitals and Charitable Institutions Amendment Act, 1920 (No. 2), and shall be read together with and deemed part of the Hospitals and Charitable Institutions Act, 1909 (hereinafter referred to as the principal Act). Short Title.
- (2.) This Act shall come into force on the first day of April, nineteen hundred and *twenty-one*. Commencement.
2. (1.) For the purposes of the principal Act references to "the Minister" shall, on and after the commencement of this Act, unless the context otherwise requires, be deemed to be references to the Minister of Health. Interpretation.
- (2.) Section two of the principal Act is hereby amended by repealing the definition of the term "Minister." Consequential repeal.

Director-General of Health to be Inspector-General of Hospitals.

3. (1.) All references in the principal Act or in any other Act to the Inspector-General of Hospitals shall, on and after the commencement of this Act, be deemed to be references to the Director-General of Health under the Health Act, 1920.

(2.) The authority to act for the Director-General of Health in the event of a vacancy in his office or of his absence from duty, conferred on the Deputy Director-General of Health by the Health Act, 1920, shall extend and apply with respect to the powers of the Director-General under and for the purposes of the principal Act. 5

(3.) In case of the absence from duty of both the Director-General and the Deputy Director-General, the Director of the Division of Hospitals appointed under the Health Act, 1920, shall be charged with the duties of the Director-General in respect of the principal Act. 10

Consequential amendment.

(4.) Section seventy-three of the principal Act is hereby amended by omitting from subsection one the words "an Inspector-General of Hospitals, and "; and by repealing subsection four thereof. 15

Hospital and Charitable Aid Boards hereafter to be known as Hospital Boards.

4. (1.) Section eight of the principal Act is hereby amended by omitting the words "and Charitable Aid" wherever those words occur in that section. 20

(2.) All references in the principal Act or in any other Act to a Hospital and Charitable Aid Board shall, on and after the commencement of this Act, be deemed to be references to a Hospital Board.

(3.) The corporate existence or identity of any Board under the principal Act shall not be affected by this section, but every such Board shall continue to be for all purposes the same Board as before the commencement of this Act. 25

Remuneration of Chairman.

5. A Hospital Board may pay to the Chairman of the Board, by way of remuneration for his services, such sum as it thinks fit, not exceeding *one hundred pounds* in respect of any financial year. 30

Hospital Boards may be required to appoint doctors and nurses for treatment of persons, whether in hospitals or elsewhere.

6. It shall be the duty of every Hospital Board to appoint such number of medical practitioners, nurses, and midwives as the Director-General of Health may from time to time deem necessary for the care and treatment of persons in the district of the Board, whether within an institution under the control of the Board or elsewhere within the district. 35

Section 43 of principal Act amended.

7. Section forty-three of the principal Act is hereby amended by inserting, after the words "When any contributions," the words "for capital expenditure." 40

Section 45 of principal Act amended.

8. Section forty-five of the principal Act is hereby amended by inserting, after the words "additions to buildings," the words "or otherwise by way of capital expenditure."

Section 46 of principal Act amended.

9. Section forty-six of the principal Act is hereby amended by omitting from subsection two the words "not exceeding three." 45

Borrowing-powers of Boards defined.

10. (1.) For the purpose of erecting buildings or of making additions or alterations to buildings, or of purchasing land, or of paying off any loan which has theretofore been raised by the Board, or for which the Board is liable, or for any other purposes of capital expenditure, a Hospital Board may, with the precedent approval of the Minister and subject to such conditions as the Minister may impose, borrow money, whether by way of bank overdraft or in any other manner; and as security for any such loan 50

the Board may, with the consent of the Minister, issue debentures or mortgage or charge any land vested in it, but no such debenture, and no mortgage or charge, shall contain or imply any power of sale of any land which the Board has no power to sell.

5 (2.) For the purpose of meeting ordinary recurrent expenditure the Board may, with the precedent approval of the Minister and subject to such conditions as the Minister may impose, borrow money by way of bank overdraft, but the amount of any such  
10 overdraft shall not at any time in any financial year exceed the total amount of the contributions payable to the Board by contributory local authorities during that year and then unpaid, together with the estimated amount receivable by the Board during that year by way of subsidy under section thirty-eight of the principal Act and then unpaid.

15 (3.) For the purpose of the issue of debentures as herein provided, the Hospital Board shall be deemed to be a local authority within the meaning of the Local Bodies' Loans Act, 1913, save that it shall not be necessary in any such case to take the steps prescribed by sections eight to twelve of that Act. In particular, but  
20 without limiting the general application of the said Act, the provisions of sections twenty-six to fifty-five thereof, and of Parts IV, V, and VI thereof, shall, with the necessary modifications, apply with respect to the issue of debentures by Hospital Boards under the authority of this section :

25 Provided that the limitation imposed by section seventy-seven of the said Act (relating to State-guaranteed loans) shall not apply with respect to the guarantee of debentures issued under this section.

(4.) The provisions of section eighty-five of the said Act, as  
30 applied by this Act, shall be deemed to authorize the investment by the Public Trustee of moneys belonging to the Common Fund of the Public Trust Office, notwithstanding anything to the contrary in the Public Trust Office Act, 1908.

(5.) Any Receiver appointed under section forty-six of the Local  
35 Bodies' Loans Act, 1913, in respect of a loan for which debentures have been issued under this section may, in the name and on behalf of the contributory local authorities, make and levy any special rates that may be necessary to meet all payments under such debentures.

(6.) In the apportionment of its expenditure for any year among  
40 the contributory local authorities the Board shall include the annual charges for the payment of interest and for the repayment of principal in respect of any debentures issued under this section.

(7.) This section is in substitution for section fifty-seven of the principal Act, and that section is hereby accordingly repealed.

45 11. In addition to the powers conferred on Boards by section sixty of the principal Act, but subject to the provisions of that section, any Board may apply moneys in its hands for any of the purposes following :—

(a.) The establishment, subject to the approval of the Minister,  
50 of bursaries for students of nursing or massage :

(b.) The provision, subject to the approval of the Minister, of pensions on retirement for any officers and servants of the Board :

Additional powers of expenditure of Board's funds.

Provided that no such pension shall exceed the rate of *two* pounds a week, or be payable to any person who has had less than *ten* years' continuous employment in the service of the Board.

Moneys available for capital and maintenance expenditure respectively not to be diverted for other purposes.

12. Section sixty of the principal Act shall not be so construed 5  
as to authorize the payment by the Board for purposes other than capital expenditure of any moneys available only for capital expenditure, or to apply for purposes other than maintenance moneys available only for maintenance.

Further restrictions on Board's powers of expenditure.

13. Section sixty-one of the principal Act is hereby amended as 10  
follows:—

(a.) By inserting after the words "to any building" in subsection three, the words "and no capital expenditure for any other purpose in excess of the said amount shall be incurred"; and 15

(b.) By omitting from the same subsection the words "or alteration," and substituting the words "alteration or expenditure."

Additional powers of Board to make by-laws.

14. In addition to the powers to make by-laws conferred on Boards by section sixty-five of the principal Act, any Board may 20  
make by-laws under that section prescribing scales of fees to be paid in respect of relief granted by the Board, whether in an institution or elsewhere, and generally for the purpose of enabling the Board to carry out any of the functions of the Board.

Section 69 of principal Act (relative to accounts to be kept by Board) amended.

15. Section sixty-nine of the principal Act is hereby amended 25  
by inserting, after the words "in the form prescribed by regulations" in subsection one, the words "of its income and expenditure and."

Contracts under subsection (4) of section 70 of principal Act to be subject to approval of Minister.

16. (1.) Every contract under subsection four of section seventy of the principal Act entered into by any Board after the commence- 30  
ment of this Act shall be subject to the approval of the Minister.

(2.) The existence of any such contract shall not be deemed to debar the Board in its discretion from charging in respect of relief afforded to any person an amount less than the cost specified in that contract in respect of such relief. 35

Section 72 of principal Act amended.

17. For the purposes of section seventy-two of the principal Act, any question as to the place of residence of a child under the age of five years, or as to the period of residence of any such child in any district, shall be determined by reference to the place of residence of the parents or guardians of the child, and the place 40  
of residence of the parents or guardians shall be deemed to be the place of residence of the child.

Extension of powers of inspection of institutions.

18. (1.) The power to inspect institutions conferred by section seventy-four of the principal Act shall extend so as to authorize the inspection of all premises connected with any institution or under 45  
the control of a Board.

(2.) The Director of the Division of Hospitals and the Director of the Division of Nursing, respectively appointed under the Health Act, 1920, shall have the powers of visitation and inspection conferred on the Director-General of Health and on Assistant Inspectors 50  
by section seventy-four of the principal Act as extended by this Act, and the provisions of that section shall apply to such visitation and inspection accordingly.

- 19. (1.) The powers conferred on the Director-General of Health by section seventy-five of the principal Act, as amended by this Act, are hereby also conferred on and may be exercised by the Director of the Division of Hospitals under the Health Act, 1920. Director of Hospitals may summon meetings of Hospital Board.
- 5 (2.) Any other officer of the Department of Health, authorized in that behalf by the Director-General, shall be entitled to be present at any meeting of a Board or of any committee of a Board, and to speak at any such meeting, but shall not take any other part in the proceedings thereof.
- 10 20. Section seventy-six of the principal Act is hereby amended by repealing subsection one thereof. Repeal.
- 21. Sections eighty-five and eighty-six of the principal Act are hereby repealed. Repeals.
- 15 22. In addition to the provisions of the principal Act specified in the Seventh Schedule to that Act the following provisions shall, with the necessary modifications, apply to a separate institution and to the Trustees and corporation thereof respectively, namely:— Provisions applicable to separate institutions.
  - (a.) Subsection three of section sixty-one of the principal Act;
  - 20 (b.) Sections nine and eighteen of the Hospitals and Charitable Institutions Amendment Act, 1913; and
  - (c.) Sections *fourteen, sixteen, eighteen, and nineteen* of this Act.
- 23. The power to make regulations conferred on the Governor-General by section one hundred and twenty-seven of the principal Power to make regulations for benefit of nurses.
  - 25 Act shall extend so as to authorize the making of regulations for the protection of the interests and the promotion of the welfare of nurses engaged in public hospitals.
  - (2.) Regulations under this section may relate to the accommodation to be provided for nurses, the leave of absence from duty to be Section 2 of Hospitals and Charitable Institutions Amendment Act, 1915, amended.
    - 30 from time to time allowed, the working-conditions, and generally such other matters as the Governor-General thinks fit.
  - 24. Section two of the Hospitals and Charitable Institutions Amendment Act, 1915, is hereby amended by omitting from subsection one the words "one shilling per mile (reckoned one way only) Section 2 of Hospitals and Charitable Institutions Amendment Act, 1915, amended.
    - 35 calculated from the place of residence of the member," and substituting the words "such rate as may be prescribed in that behalf by the Governor-General in Council."