

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 8th day of June, 1880.

HOSPITALS AND CHARITABLE INSTITUTIONS BILL.

1. Hon. Mr. GIBBORNE, in Committee, to move the following new clauses :—

*Inspectors.*

The Governor may from time to time appoint one or more persons, as he shall think fit, to be an Inspector or Inspectors of Hospitals and Charitable Institutions brought under this Act, and may from time to time make regulations for the manner in which such inspection shall be made.

Governor may appoint Inspectors of hospitals.

Every Inspector may, without previous notice, visit any hospital or charitable institution within the district assigned to him, 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.

Visitations by Inspectors.

Penalty for obstructing Inspector.

Every Inspector shall send an annual report to the Governor on the condition of the several hospitals or charitable institutions visited by him, which shall be laid before Parliament as early as may be when the same is in session. Besides such annual report, any Inspector may make special reports to the Governor from time to time, as he shall think fit.

Annual report by Inspector to be submitted to Parliament.

*Voluntary Charitable Institutions.*

Where at any time a voluntary charitable association has been formed of not less than fifty persons, each of whom shall have paid not less than *one* pound per annum during two consecutive years, or *ten* pounds in one donation, for all or any of the purposes of a charitable institution, or for affording charitable aid, the members of such association (hereinafter called "contributors"), may petition the Governor that the institution established by them may be made subject to the provisions of this Act.

Institutions supported voluntarily may be brought under Act.

The Governor in Council, on the receipt of a petition signed by not less than twenty contributors, may cause the substance or prayer of such petition to be publicly notified in the district whence such petition was transmitted.

Order in Council bringing Act in force in such case.

If no counter-petition to the Governor, signed by an equal or greater number of contributors, is delivered at the office of the Colonial Secretary within one month after the date of such publication, the Governor in Council may declare the institution established by the contributors for the time being to such association to be a voluntary charitable institution under this Act, by the style and title named in the Order in Council.

The Governor may satisfy himself as to the sufficiency of the matters stated in any such petition, in such manner as he thinks fit.

Effect of Order in Council.

Every such order shall state therein the date at which it shall take effect, and a notification in the *Gazette* of the nature and purport of the Order in Council shall be evidence that the provisions of this Act have been duly complied with in all respects, as effects the constitution and establishment of any such voluntary charitable institution.

Regulations defining powers and functions of institution.

The Governor in Council may from time to time, subject to this Act, make regulations for defining and regulating the powers, duties, and functions of every such voluntary charitable institution, and by whom the same shall be managed, and the time and manner of annual or other elections of Committees, and may fix the number of votes to be given by contributors at such elections in such proportion as he thinks fit, but so that no more than five votes shall be given in respect of any donation.

Election of Committees.

For the purpose of the election of the first Committee of such an institution the Governor shall appoint the number of members thereof to be elected, and shall appoint the day of election.

He shall also, for such election, appoint a presiding officer, who shall convene a public meeting of the contributors to be held on the day appointed for such election, at which meeting the presiding officer shall preside, and have a casting vote in the event of any candidates having an equal number of votes.

The quorum of the first Committee shall also be fixed by the Governor.

Governor in Council may vest control of charitable institutions in voluntary associations.

The Governor in Council may, from time to time, vest the control and management of any charitable institution, or the distribution of charitable aid, in any voluntary charitable institution established under this Act; and in such case all the powers, duties, and functions of the Board in the district affected shall cease, so far as concerns such control or management or distribution, as the case may be, and such voluntary charitable institution shall have all the powers, duties, and functions of the Board in respect thereof, in such manner and to such extent as may be prescribed in any regulations to be made under the section of this Act,

Actions, &c., may be brought in name of Treasurer.

All actions, suits, and other proceedings to be commenced and prosecuted by or on behalf of any such institution, or wherein it shall be interested or concerned, shall and may be lawfully commenced and prosecuted in the name of the person who shall be Treasurer of such institution at the time any such action, suit, or other proceeding shall be instituted, as the nominal plaintiff, complainant, or petitioner, as the case may be; and such proceedings shall and may be prosecuted and carried on to their final termination in the name of such Treasurer, notwithstanding any change that may have been made in the said office of Treasurer.

Goods, chattels, &c., deemed to be property of Treasurer.

All money, goods, chattels, and effects under the management or control of any Committee may be deemed and taken to be the property of the Treasurer thereof for all the purposes of any action or prosecution concerning the same until the termination of any such action or prosecution, notwithstanding any change in the office of Treasurer during the progress thereof.

Actions, &c., may be brought against Treasurer.

All actions, suits, and other proceedings to be commenced and prosecuted against any institution may be commenced and prosecuted against the Treasurer thereof for the time being, as the nominal defendant, for and on behalf of the said institution; and the death, resignation, or other act of the Treasurer of the said institution shall not abate any such action, suit, or other proceeding, but the same may be continued where it left off, and be prosecuted and carried on against the said institution in the name of such person who was Treasurer when such action, suit, or other proceeding was instituted or commenced.

Treasurer not personally responsible.

Every such Treasurer in whose name any such action, suit, or other proceeding shall be commenced, prosecuted, carried on, or defended by and with the instructions of the Committee of Management, shall be deemed to have incurred no personal liability, and any liabilities so incurred shall be paid out of the funds of the institution.