

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 20th day of July, 1886.

HOSPITALS AND CHARITABLE INSTITUTIONS BILL.

The Hon. Sir R. STOUT, in Committee, to move—

After clause 1 insert—

1A. The said Act is hereby amended, as follows:—

In section four, the definition of "District" and "District Board" shall be omitted, and the following substituted:—

"District" means a hospital district, or an united district constituted under the said Act, and includes a separate district as defined by this Act.

"District Board" or "Board" includes a Hospital and Charitable Aid Board, an Hospital Board, and a Charitable Aid Board.

"Separate district" means a hospital district which has control of hospitals but not of charitable aid being united to another district for the purpose.

Sections thirteen and twenty-two are hereby repealed.

After clause 2 insert—

2A. The trustees of any incorporated separate institution wherein orphan children who have lost both their parents are maintained may appoint any fit person, to be approved by the Colonial Secretary, to be the manager of such institution for the purposes of this section, and may apply to a Resident Magistrate under the provisions of section twenty-six of "The Destitute Persons Act, 1877," for an order appointing the said manager to have the custody of any such orphan child.

- (1.) The Resident Magistrate is hereby authorized to grant such order, notwithstanding any previous order for the maintenance of such child may not have been previously made by him or any other Magistrate under the said Act; and thereupon the guardianship of every child in respect whereof such order is made, shall vest in the manager so appointed.
- (2.) Every manager so appointed shall, as such guardian, have all and singular the powers and authorities over the person over whom such guardianship is exercised which a guardian of the person of an infant appointed by the Supreme Court would have; and shall have and may exercise all the powers and authorities in respect of such person as the manager of any school under "The Industrial Schools Act, 1882," has and may exercise over any inmate of such school as the guardian of such inmate.

With the consent of the only surviving parent of an orphan child, to be expressed to a Resident Magistrate at a private examination to be made by him of such parent, such Magistrate may make a similar order in respect of any orphan child, having one parent surviving, if he shall think fit, and every order so made shall have the same effect as an order made as hereinbefore first mentioned. And upon the making thereof, the surviving parent of the child in respect whereof the order is made shall wholly cease to have any legal control or

Amendments of
Act of 1885.

Guardians of
orphans in charit-
able institutions
may be appointed.

guardianship over such child so long³ as the said order remains in force.

Any Resident Magistrate may rescind or vary any order made under this section whether by himself or by any other Magistrate, and may transfer the guardianship of any orphan child from one manager to another appointed as aforesaid, whether of the same or any other institution as aforesaid; and every such order shall remain in force until the person over whom the guardianship is exercised by virtue of any such order or orders shall have attained the age of twenty-one years.

Representation on District Boards to be proportioned to amount of contribution thereto by the several contributories.

2B. The Governor, by Order in Council, shall, before the month of November ensuing next after the commencement of this Act, and at the same period in every third year thereafter, apportion the representation of the various contributory local authorities in any district on the Board of such district in the proportion to the amount contributed by such local authorities respectively to the Hospital and Charitable Aid Fund thereof during the year ending on the thirty-first day of March previous to the date of such Order in Council.

Where a new district is constituted the apportionment shall be made according to the contributions of the local authorities therein to the fund of the district whereof the new district had previously formed a part.

Every apportionment of representation as aforesaid shall be made so that no local authority shall have more than three members on the Board; and all members so apportioned shall be elected, as provided in section seven of the said Act, in the month of November ensuing next after the date of the Order in Council whereby such apportionment is made.

So much of the aforesaid section seven of the said Act as is repugnant to this section is hereby repealed.

Extraordinary vacancies.

2c. Extraordinary vacancies may be created in any Board in the same manner as provided by section fifty-three of the said Act in relation to the trustees of a separate institution; and for this purpose the said section shall apply *mutatis mutandis* in respect to every Board, the word "Board" being read therein in the place of the word "trustees."

If a sufficiency of members be not elected to supply any extraordinary vacancies, the Governor may appoint such persons as he may think fit to the Board, as provided in section seven of the said Act, on failure of election.

Governor may appoint Commissioners where no Board exists.

2D. In case all the members of any Board shall resign, so that the functions thereof cannot be exercised, the Governor may appoint any persons as he may think fit as Commissioners to exercise the functions of the Board, and such Commissioners shall be deemed to be the Board of the district for which they are appointed, and shall exercise all the powers and authorities of a Board under the said Act and this Act.

Districts may become united by resolution.

2E. Notwithstanding anything contained in the said Act, any two or more hospital districts may, by resolution passed by the respective Boards thereof, become joined into an united district under the said Act. A copy of such resolutions shall be transmitted to the Colonial Secretary, who shall thereupon notify in the *Gazette* the fact of such union, if he approve it, but such union shall not take effect until the first day of *April* or *October* next succeeding the gazetting thereof.

Clause 3. Omit "April," insert "October." Add the following paragraphs:—

Every Board which shall not have made sufficient provision for the cost of maintenance of institutions within the district under the jurisdiction of such Board respectively, or the distribution of

charitable aid therein, or for both of such objects during the now current year, and until the first day of April in the now next ensuing year, may require a special contribution from the local authorities in such district for the purpose of providing so much of the aforesaid cost as has not been already provided.

All the provisions of the said Act relating to the levying of contributions from local authorities for any of the objects aforesaid, and for the recovery thereof if not paid, shall apply *mutatis mutandis* for the purpose of levying the special contributions authorized under this section.

After clause 6 insert—

Corporate name of united separate districts.

6A. Every hospital district under the said Act which becomes united to another hospital district for the purpose of distribution of charitable aid, shall thereafter, in respect of the maintenance of hospitals, be known as a separate district, and the corporate name of the Board thereof shall be changed into "The [*naming the district*] Hospital Board."

The corporate name of the Board of an united district shall be "The [*naming the district*] Charitable Aid Board."

On the formation of an united district the Hospital and Charitable Aid Fund of each separate district forming part of such united district shall be called the Hospital Fund; and the fund of the united district shall be called the Charitable Aid Fund.

Division of Hospital and Charitable Aid Fund.

6B. In section fourteen of the said Act all words antecedent to subsection (1) shall be omitted, and the following substituted:—

For every hospital district there shall be an Hospital and Charitable Aid Fund, and for every separate district an Hospital Fund, and for every united district a Charitable Aid Fund, consisting respectively of the moneys arising from the following sources:—

After clause 7 insert—

Receipts exempt from stamp duty.

7A. All receipts given by or on behalf of any Board constituted under the said Act shall be exempt from stamp duty.

Clauses 8, 9, and 10 to be omitted, and the following substituted:—

Board may subdivide district for purpose of distributing charitable aid.

8. Every Board may from time to time divide the district under its jurisdiction into subdivisions, and also may vary, alter, or abolish any such subdivisions and create new ones; but it shall not be lawful for any Board to dis sever any subdivision of a district from such district, and every such severance heretofore made or purported to be made shall be deemed to be illegal.

The division of a district into subdivisions shall be for the purposes only of facilitating the levying and collecting contributions from the contributory local authorities in such district, and the distribution of charitable aid therein, or for one or other of such objects.

Board to collect contributions on an uniform scale.

8A. Every Board, according to its respective functions, shall declare what local authorities within the district under its jurisdiction shall be liable to contribute to the support of the institution therein, or to afford charitable aid therein, or both, and shall appoint the proportion of the contribution to be made by each such local authority respectively on an uniform or equivalent scale throughout the entire district, but proportioned as mentioned in section twenty-three of the said Act; and may appoint the time for the payment thereof. No differential proportion of contributions shall be made in any district.

Board may remit contributions in case of excess.

8B. In case any contributions required from local authorities shall prove to be in excess of the actual necessities of the district or united district, the Board of any such district may, by resolution, acquit such local authorities from the payment of any part of such contributions, but every such release shall be made uniformly and to the same degree to all the contributory local authorities in proportion to their respective contributions.

Property-tax Commissioner may levy contributions in districts where no rates levied.

8c. If any contribution authorized or required to be paid under the said Act within any part of a district cannot be recovered by reason of the absence of any local authority therein, or by reason of no rates being levied by any local authority therein, and no subsidies being payable under the said Act or any other Act to any such local authority, the Colonial Treasurer, on the application of the Board and on receiving from it an account of the amount of contribution required from such part of the district, shall send such account to the Property-tax Commissioner. It shall be the duty of the Property-tax Commissioner forthwith upon the receipt of such account to raise, by means of rates upon all rateable property within any such part of a district as aforesaid, the amount stated in such account, together with the amount of the estimated cost of making and collecting such rates.

For the purpose of making and collecting any such rate, the assessment-roll made by the Property-tax Commissioner shall be deemed to be the valuation-roll of the rateable property in the aforesaid part of a district; and the Property-tax Commissioner shall be deemed to be a local body within the meaning of "The Rating Act, 1882," and any Act amending the same or passed in substitution thereof, all the provisions whereof respectively, as the case may be, shall apply to the making and collecting any such rate.

All rates so raised shall be paid to the Board of the district for which they were collected, less the amount of expenses for collecting the same, which shall be paid into the Public Account, and form part of the Consolidated Fund.

Board may appoint local authorities to distribute charitable aid.

8d. The Board of any district may appoint any one or more local authorities in the district, or in any subdivision thereof respectively, to distribute or to collect and distribute the charitable aid funds of the Board within the district under the jurisdiction of such local authority, and may from time to time vary or rescind any such appointment in part or in whole.

After clause 10 insert—

Dissolution of certain united districts.

10A. Subsections one and six of section thirty-four of the said Act are hereby repealed; the North of Auckland District, the Auckland District, the Waikato District, the Nelson District, the Buller District, and the Inangahua District are hereby constituted hospital districts under the said Act, as if they had never formed part of any united district.

Allocation of assets and liabilities.

The Boards of the united districts of the North of Auckland with the Auckland Districts, and of the Inangahua and Buller with the Nelson District, are hereby dissolved; and all the assets and liabilities of the Boards of such united districts at the time of their dissolution respectively shall be apportioned among the Boards of the several districts forming part of such united districts respectively in manner as shall be allocated by such person as the Governor may appoint for the purpose.

This section shall not come into force before the *first* day of *April* next after the passing thereof.

Clause 14 to be omitted and the following substituted:—

Election of Trustees of separate institutions.

14. Section forty-six of the said Act are hereby repealed, and in lieu thereof it is enacted: Every such incorporated institution as aforesaid shall be governed by not less than six nor more than nine Trustees, to be elected by the voluntary contributors for the time being and by the contributing local authorities for the time being to the maintenance of such institution.

If the voluntary contributors contribute in respect of the total amount required for the maintenance of the said institution during the last-preceding financial year,—

- (1.) Less than one-sixth they shall elect two Trustees; and
- (2.) If one-sixth and less than one-third they shall elect four Trustees; and
- (3.) If one-third and less than one-half, they shall elect six Trustees; and
- (4.) If more than one-half and less than the total amount, they shall elect seven Trustees.

The local authorities contributing for the time being to the maintenance of such institution shall elect the remainder of such Trustees, so as to make the total number of Trustees nine.

14A. A local authority shall be deemed to contribute to the funds of a separate institution when it contributes any sum to the District Board for the purpose of the same being paid to the separate institution.

14B. Subsections one and two of section forty-seven are hereby repealed and the following substituted:

- (1.) If there are no more local authorities contributing to such separate institution than Trustees to be elected by them, then each shall elect one Trustee at the time of the first incorporation of the institution as a separate institution, and thereafter at the date and at the time when members of the District Board are elected, and such Trustees shall hold office for one year or until their successors are elected.
- (2.) If there are more local authorities contributing than Trustees to be elected, then each local authority contributing not less than the total amount contributed by the whole of the local authorities divided by the number of Trustees to be elected shall elect one Trustee, and the remaining local authorities shall elect the remaining Trustees to be elected.

After clause 16 to insert—

16A. The First Schedule of the said Act is hereby amended, as follows:—

In the description of the District of Auckland, after the word "Eden," insert "and"; omit the words "Raglan, Waikato, and Waipa." After the aforesaid description insert,—

DISTRICT OF WAIKATO.

All that area in the colony, being the Counties of Waikato, Waipa, and Raglan, and including all boroughs therein.

Definition of contributory local authority.

Mode of election by contributory local authorities.

Waikato constituted a hospital district.