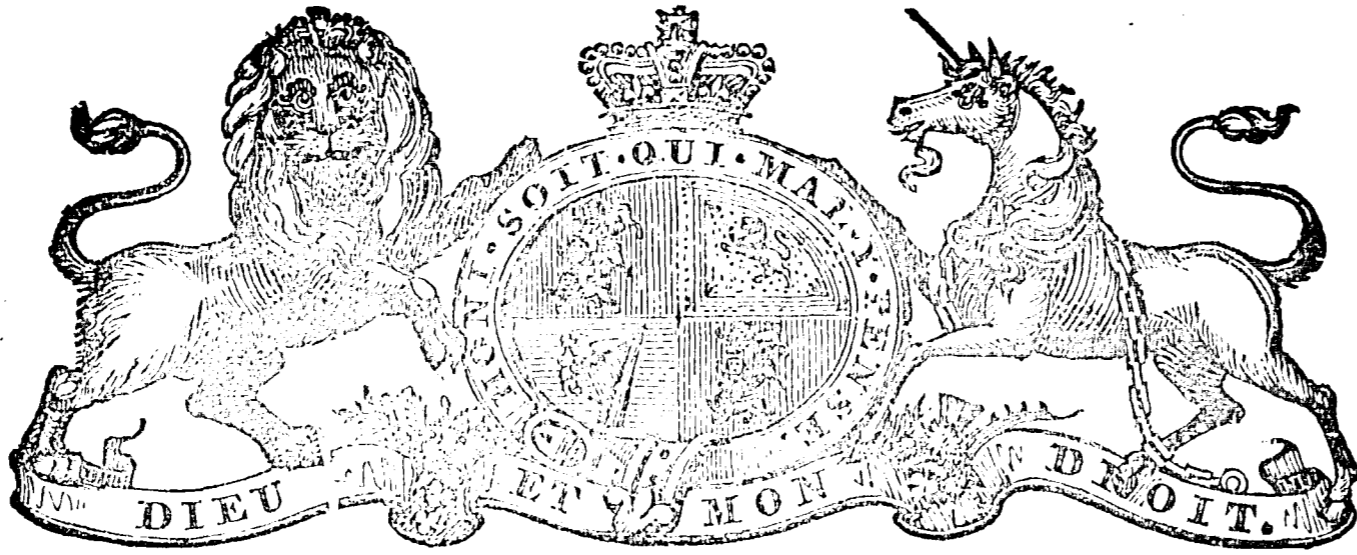


VICTORIA.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. DCCCXVI.

An Act to amend an Act intituled "*An Act for Hospitals and Charitable Institutions,*" and for other purposes.

[12th December 1884.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may for all purposes be cited as "*The Hospitals and Charitable Institutions Amending Act 1884,*" and shall be read and construed with the Act intituled "*An Act for Hospitals and Charitable Institutions,*" hereinafter referred to as the Principal Act.

Short title and construction.

No. 220.

2. Any institution society or association of persons established or formed or to be established or formed having for its object the saving of human life, the promotion of health temperance or morality, the prevention of cruelty or vice, or other cognate objects of a philanthropic or humane nature, shall subject to the requirements as to voluntary contributions contained in section one of the Principal Act be and be deemed to be an institution capable of incorporation under the provisions of the Principal Act and may be incorporated accordingly.

Certain institutions societies and associations may be incorporated.

3. Notwithstanding

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Government of institutions societies and associations when incorporated.

3. Notwithstanding anything contained in section four of the Principal Act, every such incorporated institution society or association may be governed by a committee or court or board of directors or governing body under such name or style as may be determined upon by the majority of the votes of the contributors for the time being to such institution society or association present at a public meeting convened in accordance with the provisions of section five of the Principal Act, and every such incorporated institution society or association so far as may be shall be subject to all the provisions of the Principal Act, and the said Principal Act shall be read as if after every mention therein of a committee the words "or court or board of directors or governing body" had been inserted.

Power to alter date of annual meeting and provision as to retirement of committee-men.

4. Notwithstanding anything contained in the Principal Act, if the committee or court or board of directors or governing body of any charitable institution society or association incorporated under this Act or the Principal Act by resolution so decide, the said Principal Act shall for the purposes of such charitable institution society or association be read as though the words "on the last Thursday in the month of July" were substituted for the words "on the second Thursday in the month of January" wheresoever the same occurs; and the members of such committee or court or board of directors or governing body shall continue in office until the month of July in the year in which their respective terms of office would under the provisions of the Principal Act have expired.

Order for payment to institution &c.

5. It shall be lawful for any justice upon complaint in writing of any person in that behalf authorized under the common seal of any such incorporated charitable institution society or association as aforesaid or upon the complaint in writing of the treasurer of any hospital not so incorporated that any person who is maintained by or who is in receipt of medical attendance or relief from such charitable institution society association or hospital as aforesaid has become entitled to any real or personal property to issue a summons to any person having possession or control thereof to appear before any two or more justices to show cause why the same or a sufficient part thereof, and in the case of personal property whether consisting of capital or interest, should not be made available for the payment of the amount due for such maintenance attendance or relief at the date of the issue of the summons, and such justices shall, whether such person be present or not, inquire into the matter of the said complaint, and may in their discretion by order direct that the amount so due be paid by such person out of such personal property as may be under his control, and in default of payment by him may order that the said amount be recovered by the attachment seizure and sale of such personal property or by the receipt by any person in that behalf authorized under the common seal of the incorporated charitable institution society or association or by the treasurer of any hospital as the case may be to whom
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the same is due of the rents and profits of real property to which such person has become entitled as aforesaid.

6. Any compulsory payment made under the provisions of this Act by any trustee or guardian or by any executor or administrator of the estate of any deceased person for and on behalf of any inmate being an infant shall be deemed to be a payment binding upon such infant and any such trustee guardian executor or administrator making such payment shall not thereafter be accountable to any person or persons whatever for or on account thereof.

Payment by executor &c. on behalf of infant inmate binding on infant.

7. All orders made in pursuance of this Act may be enforced and payments of the amounts thereunder may be recovered in the manner provided by "*The Justices of the Peace Statute 1865*" or any Act amending the same. Provided that no order or warrant issued under this Act shall be set aside for want of form only.

Enforcement of orders.

8. Any person who either before or after his admission into such institution makes a statement to the effect that he is in destitute circumstances and unable to pay for his maintenance attendance or relief, and who in consequence of having made such statement is admitted or maintained by or who receives medical attendance or relief from any charitable institution society or association incorporated under this Act or the Principal Act or from any hospital not so incorporated, shall be liable to contribute towards the same according to his means any sum not exceeding the actual cost of such maintenance attendance or relief which the committee or trustees may demand, and such sum shall on demand thereof be a debt due by such person and may be recovered from him or from his executors or administrators after his death by such incorporated charitable institution society or association or by the treasurer of such hospital as aforesaid. A written statement of the amount so due purporting to be signed by the secretary of any such incorporated charitable institution society or association or of any such hospital shall be *prima facie* evidence of such amount, and in addition to the amount so due such person shall be liable to a penalty not exceeding Five pounds to be recovered on complaint before two or more justices. Provided that the committee court or board of directors or governing body of any such incorporated charitable institution society or association of any such hospital shall have absolute discretionary power to remit or postpone payment of all or any sums of money due to them under the provisions of this Act.

Inmate becoming able to pay shall be liable to contribute to cost of his maintenance.

MELBOURNE:

By Authority: JOHN FERRIS, Government Printer.