

**BILLE UM OISPIDEIL PHUIBLI DHEIRCIULA  
(FORALACHA SEALADACHA), 1929.**

**PUBLIC CHARITABLE HOSPITALS (TEMPORARY  
PROVISIONS) BILL, 1929.**

*Mar do ritheadh ag Dáil Eireann.*

*As passed by Dáil Eireann.*

**Section.**

1. Definitions and application of Act.
2. Appointment of Committee and submission of scheme.
3. Sanction of scheme by Minister and consequent legality of sweepstake.
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# SAORSTÁT EIREANN.

BILLE UM OISPIDEIL PHUIBLI DHEIRCIULA  
(FORALACHA SEALADACHA), 1929.

PUBLIC CHARITABLE HOSPITALS (TEMPORARY  
PROVISIONS) BILL, 1929.

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## BILL

*entitled*

AN ACT FOR THE GRANTING OF POWERS TO ENABLE  
FUNDS TO BE RAISED BY MEANS OF SWEEPSTAKES  
AND DRAWINGS OF PRIZES FOR THE SUPPORT OF  
PUBLIC CHARITABLE HOSPITALS AND SANATORIA  
IN SAORSTÁT EIREANN. 10

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT  
EIREANN AS FOLLOWS:—

Definitions  
and  
application  
of Act.

1.—(1) In this Act— 15

the expression "the Minister" means the Minister for Justice;  
the word "sweepstake" means a drawing or distribution of  
prizes by lot or chance whether with or without reference to the  
result of a future uncertain event;

the word "hospital" means and includes any hospital, sanatorium, 20  
or other institution which affords medical surgical or dental  
treatment; and

the expression "governing body" means the council, board,  
committee or other body having the control and management of  
the hospital in relation to which the expression is used. 25

(2) This Act applies to every hospital which complies with all  
the following conditions and to no other hospitals, that is to say,  
that such hospital—

(a) is situate in Saorstát Eireann; and

(b) is in receipt of voluntary subscriptions from the public; 30  
and

(c) during the financial year of such hospital next preceeding  
the passing of this Act actually used on a daily average  
taken over the whole of such financial year not less  
than twenty-five per cent of its total accommodation 35  
for indoor patients for patients who did not pay for  
treatment in such hospital or who paid or on whose  
behalf there was paid for such treatment payment at  
a rate not exceeding ten shillings per week or in the  
case of a dental hospital accorded free treatment to not 40  
less than twenty-five per cent. of the patients treated.

Appointment  
of Committee  
and submission  
of scheme.

2.—(1) Whenever the governing body of a hospital to which this  
Act applies desires or the governing bodies of two or more such  
hospitals jointly desire to hold a sweepstake under this Act to  
raise funds for such hospital or hospitals, such governing body or 45  
bodies may appoint for the purposes of such sweepstake a com-  
mittee of such number of such persons as it or they thinks or  
think proper.

(2) Vacancies occurring by death or resignation in the member-  
ship of a committee appointed under this section may be filled by 50  
the governing body or bodies by which such committee was  
appointed.

(3) No member of a committee appointed under this section  
shall receive any remuneration for acting as a member of such



committee or for any services rendered or work done by him in relation to the sweepstake for the purposes of which such committee was appointed.

(4) A committee appointed under this section for the purposes of a sweepstake shall prepare and submit to the Minister a scheme specifying in relation to such sweepstake the following matters, that is to say:—

- 10 (a) the name or names of the hospital or hospitals the governing body or bodies of which desire to hold such sweepstake, and such particulars of such hospital or hospitals as may be necessary to establish the fact that it is or they are a hospital or hospitals to which this Act applies, and
- 15 (b) the names of the members of such committee, and
- (c) particulars of the prizes intended to be distributed in such sweepstake, including the money value of any prize which is not a sum of money, and
- 20 (d) the number of drawings of prizes intended to be made in such sweepstake and the date on which, the place at which, and the manner in which such drawing or each of such drawings (if more than one) is intended to be made, and
- (e) the price intended to be charged for tickets in such sweepstake, and
- 25 (f) the amount or the maximum amount proposed to be allowed or expended by way of commission, prize, or other remuneration in relation to the sale of tickets in such sweepstake and the proportion of free tickets proposed to be allotted by way of reward to the seller of any particular number of tickets in such sweepstake, and
- 30 (g) the manner in which it is intended to apply in accordance with this Act the money received from the sale of tickets in such sweepstake, and
- 35 (h) the trustees in whose names and the bank in which the deposit or deposits required by this Act of the amount of the prizes is or are intended to be made and, where such deposit or deposits is or are intended to be made wholly or partly by the deposit of securities, particulars of such securities, and
- 40 (i) the date before which such deposit is to be made or (where the case so requires) the respective dates before which each such deposit is to be made, and
- 45 (j) the person intended to be employed in accordance with this Act to audit the accounts relating to such sweepstake.

3.—(1) When a scheme is submitted to the Minister under this Act, the Minister may, if he so thinks proper, and he is satisfied that the hospital or hospitals named in such scheme is or are a hospital or hospitals to which this Act applies, sanction such scheme either without modification or with such modifications as he may think fit to make therein.

Sanction of scheme by Minister and consequent legality of sweepstake.

(2) When a scheme is submitted to the Minister under this Act, the Minister may, for the purpose of satisfying himself that a hospital named in such scheme is a hospital to which this Act applies, require such evidence by statutory declaration or otherwise as he thinks fit.

(3) When a scheme submitted to the Minister under this Act has been sanctioned (whether with or without modification) by the Minister it shall, notwithstanding anything to the contrary contained in any other Act, be lawful for the governing body of the hospital or the governing bodies of the hospitals named in such scheme to hold the sweepstake to which such scheme relates, subject to and in accordance with the following conditions and

65 not otherwise, that is to say:—

- (a) such sweepstake shall be conducted and managed by the committee appointed under this Act by whom such scheme was so submitted, and



(b) such sweepstake shall be held, conducted, and managed in all respects in accordance with such scheme as sanctioned by the Minister, and

(c) the provisions of this Act requiring anything to be done or prohibiting the doing of anything in relation to a sweepstake held under this Act shall be observed in relation to such sweepstake.

Deposit of  
amount or  
value of  
prizes.

4.—(1) Whenever a sweepstake is held under this Act the committee managing such sweepstake shall, where it is intended that there shall be only one drawing of prizes in such sweepstake, cause to be deposited in accordance with this section a sum equal to the total amount or value of the prizes in such sweepstake or, where it is intended that there shall be two or more drawings of prizes in such sweepstake, cause to be deposited in relation to each such drawing and in accordance with this section a sum equal to the total amount or value of the prizes in such sweepstake to be drawn for at such drawing.

(2) A deposit under this section may be made either by the deposit of money or by the deposit of sound marketable stocks, shares or securities, and if made by the deposit of such securities, the value of such securities shall for the purposes of this section be taken to be the market price thereof on the day on which such deposit is made.

(3) Every deposit under this section shall be made before the date named in that behalf in the scheme relating to such sweepstake as sanctioned by the Minister, and in the bank and in the names of the trustees named in such scheme, and where made by the deposit of securities, shall be made by depositing the securities specified in that behalf in such scheme.

(4) A deposit under this section shall be made in a public bank in Saorstát Eireann and shall be made in the names of not less than three trustees.

(5) The trustees in whose names moneys or securities are deposited under this section shall, out of such moneys or securities, pay or provide, to or for the person entitled thereto under the terms of the drawing in relation to which such deposit was made, every (if any) prize drawn at such drawing which is not duly paid or provided by the committee managing the sweepstake in which such drawing is made, and for that purpose such trustees may realise all or any of such securities.

(6) When all prizes drawn at the drawing in relation to which a deposit is made under this section have been fully paid or provided, whether without resort to such deposit or wholly or partly out of such deposit, the trustees in whose name such deposit is standing shall return to the person by whom the moneys or securities comprised in such deposit were provided the whole or so much as is not otherwise applied under this section (as the case may require) of such moneys and securities.

(7) If the drawing of prizes in relation to which a deposit is made under this section is, with the consent of the Minister, not made the trustees in whose name such deposit is standing shall return the moneys or securities comprised in such deposit to the person by whom they were provided.

(8) All interest accruing during the continuance of a deposit made under this section on the moneys or securities comprised in such deposit shall belong and be payable to the person by whom such moneys or securities were provided.

Application  
of proceeds of  
sweepstakes.

5.—(1) The balance of the moneys received from the sale of tickets in a sweepstake held under this Act remaining after paying or providing for the prizes distributed in such sweepstake and the expenses incurred in holding such sweepstake shall, where such sweepstake is held by the governing body of one hospital only, be paid to such governing body and, where such sweepstake is held by the governing bodies of two or more hospitals, be distributed amongst and paid to such governing bodies in the proportions stated in the scheme sanctioned by the Minister in relation to such sweepstake.



(2) The following limitations shall apply in respect of the application of the moneys received from the sale of tickets in a sweepstake held under this Act, that is to say:—

- 5 (a) the amount applied out of such moneys for paying the expenses incurred in holding such sweepstake (other than tickets, commission, prizes or other remuneration given in relation to the sale of tickets) shall not exceed thirty per cent. of such moneys;
- 10 (b) where a payment is made to a person for promoting such sweepstake such payment shall be deemed for the purposes of this Act to be part of the expenses of holding such sweepstake and shall not exceed seven per cent. of the said moneys received from the sale of tickets in such sweepstake;
- 15 (c) the amount paid in pursuance of sub-section (1) of this section to the governing body or governing bodies holding such sweepstake shall not be less than twenty per cent. of the said moneys received from the sale of tickets in such sweepstake.

- 20 6.—(1) Within three months after the drawing of prizes or, where there is more than one such drawing, the last drawing of prizes in a sweepstake held under this Act the committee managing such sweepstake shall cause the accounts of all receipts and disbursements of money in relation to such sweepstake to be audited
- 25 by a chartered or other qualified auditor or accountant and shall furnish to the Minister and also to every member of the Oireachtas a copy of such accounts as so audited and of the auditor's certificate and report thereon.

Audit of accounts of sweepstakes.

- (2) The person by whom the accounts of a sweepstake are audited under this section shall be the person named in that behalf in the scheme sanctioned by the Minister in relation to such sweepstake or, where for any reason that person is not available, some other person possessing the qualifications required by the foregoing sub-section of this section and approved
- 30 of by the Minister.

- (3) If the committee managing a sweepstake held under this Act makes default in complying in relation to such sweepstake with the provisions of this section each member of such committee shall be guilty of an offence under this section and shall
- 40 be liable on summary conviction thereof to a fine not exceeding fifty pounds, and in the case of a continuing offence a further fine not exceeding five pounds for every day during which the offence is committed.

- 7.—(1) Every book of tickets in a sweepstake held under this Act shall have clearly printed thereon—
- 45

Provisions as to advertisements and tickets in sweepstakes.

- (a) where such sweepstake is held by the governing body of one hospital only, the name of such hospital, or where such sweepstake is held by the governing bodies of two or more hospitals, the names of such hospitals and the proportions in which the funds raised by means of such sweepstake will be divided amongst such hospitals, and
- 50

- (b) a statement to the effect that such sweepstake is held under this Act.

- 55 (2) No advertisement, memorandum, circular, ticket or other document issued by a committee in relation to a sweepstake held under this Act shall contain any words indicating or which could reasonably be construed as indicating that such sweepstake is being held under the auspices or patronage of the Government of Saorstát Éireann or any Minister head of a Department of State.
- 60

- (3) If any book of tickets in a sweepstake held under this Act does not comply with the provisions of sub-section (1) of this section or if any advertisement, memorandum, circular, ticket or
- 65 other document issued by a committee in relation to such a sweep-



stake contravenes the provisions of sub-section (2) of this section, each member of the committee managing such sweepstake shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds.

Furnishing  
of accounts  
with scheme.

8.—A committee submitting a scheme to the Minister under this Act shall furnish to the Minister with such scheme a copy of the audited accounts for the next preceding financial year of the hospital or every of the hospitals named in such scheme and no such scheme shall be considered by the Minister unless or until this section has been complied with. 5 10

Calculation of  
amount of  
money  
received from  
sale of tickets.

9.—When calculating for the purposes of this Act the amount of moneys received from the sale of tickets in a sweepstake the value of tickets issued free by way of reward to a seller of tickets shall be excluded from the calculation and there shall be deducted from the nominal selling price of all other tickets all commissions, prizes and other remuneration given in relation to the selling of such tickets. 15

Use of Saorstát  
Eireann  
labour and  
materials.

10.—So far as may be practicable, all printing for or in connection with a sweepstake held under this Act shall be done in Saorstát Eireann and all paper and other materials used for the purpose of such sweepstakes shall be of Saorstát Eireann manufacture. 20

Short title and  
duration.

11.—(1) This Act may be cited as the Public Charitable Hospitals (Temporary Provisions) Act, 1930.

(2) This Act shall remain in force until the 1st July, 1934, and shall then expire. 25



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DHEIRCIULA (FORALACHA  
SEALADACHA). 1929.

PUBLIC CHARITABLE HOSPITALS  
(TEMPORARY PROVISIONS)  
BILL, 1929.

BILLE

BILL

*dá ngairmtear*

*entitled*

Acht chun comhachta do dheona chun go  
bhfeadfar cistí do sholathar tré seuab-ghill  
agus tré chrannchur duaiseanna chun  
cabhruithe le hospidéil dheireiúla agus le  
sanatoria i Saorstát Eireann.

An Act for the granting of powers to enable  
funds to be raised by means of sweep-  
stakes for the support of public charit-  
able hospitals and sanatoria in Saorstát  
Eireann.

*Rithte, ag Dáil Eireann, 9adh Bealtaine, 1930.*

*Passed, by Dáil Eireann, 9th May, 1930.*

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