

ÉIRE.

BILLE NA nOISPIDEAL PUIBLI (LEASU) (Uimh. 2), 1940.

PUBLIC HOSPITALS (AMENDMENT) (No. 2) BILL, 1940.

Mar do ritheadh ag dhá Thigh an Oireachtais.

As passed by both Houses of the Oireachtas.

ARRANGEMENT OF SECTIONS.

Section.

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9. Short title and collective citation.

ÉIRE

BILLE NA nOISPIDEAL PUIBLI (LEASU) (Uimh. 2), 1940.
PUBLIC HOSPITALS (AMENDMENT) (No. 2) BILL, 1940.

BILL

entitled

5

AN ACT TO PROVIDE FOR THE ESTABLISHMENT BY
THE HOSPITALS COMMISSION OF BUREAUS FOR
OBTAINING AND GIVING INFORMATION AS TO
THE ACCOMMODATION AVAILABLE IN CERTAIN
HOSPITALS, TO PROVIDE FOR THE INVESTIGATION 10
OF CERTAIN COMPLAINTS RELATING TO SUCH
HOSPITALS, TO AMEND THE PUBLIC HOSPITALS
ACT, 1933, AND TO EXTEND THE EXERCISE OF
CERTAIN POWERS SPECIFIED THEREIN, TO REPEAL 15
THE PUBLIC HOSPITALS (AMENDMENT) ACT, 1939,
AND TO PROVIDE FOR OTHER MATTERS CON-
NECTED WITH THE MATTERS AFORESAID.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

Interpretation.

1.—The Public Hospitals Acts, 1933 to 1939, and this Act shall
be construed together and, accordingly, every word and expression 20
to which a particular meaning is given by or in any of those Acts
has, in this Act, the meaning so given to it.

Establishment
of bureaus.

2.—(1) Subject to the provisions of the next following sub-
section, the Hospitals Commission may, with the consent of the 25
Minister, establish and maintain in relation to any two or more
hospitals a bureau whereby the admission to some one of
such hospitals of persons requiring hospital treatment will be
facilitated and whereat information as to the accommodation
available from time to time in such hospitals can be given to 30
medical practitioners and other interested persons.

(2) Where a bureau in relation to any hospitals is established
under this section, there shall not be included amongst those 35
hospitals any hospital to which no grant has been made out of the
Hospitals Trust Fund after the passing of this Act, unless the
governing body thereof consents to such inclusion.

(3) The Hospitals Commission after consultation with the
advisory committee established in respect of such bureau
under this Act and with the approval of the Minister,
may by regulations prescribe the manner in which any 40
bureau established under this section shall be carried on and
such regulations may, for the purposes thereof, define the duties
of the governing bodies or of any person taking part in the
management of any hospital concerned in regard to the admission
of patients to such hospital and to the furnishing at regular

intervals and on demand of information as to the accommodation available in such hospital.

(4) Every regulation made under this section shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution annulling such regulation is passed by either such House within the next subsequent twenty-one days on which such House has sat after such regulation is laid before it, such regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done under such regulation.

10 3.—(1) Where a bureau is established under this Act in relation to two or more hospitals— **Bureau committees.**

(a) there shall, by virtue of this paragraph, be established an advisory committee in respect of such bureau;

15 (b) such committee shall consist of a number of members equal to the number of such hospitals;

(c) each of the governing bodies of such hospitals shall, from time to time as occasion requires, appoint a person to be a member of such committee and notify the Hospitals Commission of such appointment;

20 (d) whenever the governing body of any of the said hospitals is required to appoint a member of such committee, the Hospitals Commission may, by notice in writing request such governing body to make such appointment, and if such governing body fails, before the expiration of fourteen days after the giving of such notice, to make such appointment and notify it to the Hospitals Commission, the Hospitals Commission shall inform the Minister accordingly, and the Minister shall appoint such person as he thinks fit to be a member of such committee, and the person so appointed by the Minister shall be deemed, for the purposes of this sub-section, to have been appointed by such governing body.

35 (2) The functions of every committee established under this section shall be to promote generally the efficiency of the bureau in respect of which such committee was established and to secure from the hospitals concerned full co-operation in the carrying on of such bureau.

(3) The Minister shall fix the tenure of office of the members of any committee established under this section.

40 (4) The Hospitals Commission shall provide a place of meeting for any committee established under this section and shall make such other provision as they think necessary for the proper functioning of such committee.

45 4.—(1) Where the Hospitals Commission, after consultation with the appropriate advisory committee, complain to the Minister that any person was refused admission as an intern patient to any hospital in relation to which a bureau has been established under this Act or that the treatment of any person admitted as an intern patient to any such hospital was unreasonably delayed, the Minister may, if in his discretion he so thinks proper, cause an inquiry to be held in relation to such complaint and may appoint a person to hold such inquiry. **Complaints.**

(2) The person appointed to hold an inquiry under this section may—

- (a) summon witnesses to attend at such inquiry,
- (b) examine on oath (which he is hereby authorised to administer) witnesses attending at such inquiry, and 5
- (c) where he considers any document in the power or control of any of such witnesses to be necessary for the purposes of such inquiry, require such witness to produce such document.

(3) A witness at an inquiry under this section shall have the same immunities and privileges as if he were a witness before the High Court. 10

(4) If any person—

- (a) being duly summoned to attend as a witness at an inquiry under this section, fails, wilfully or without reasonable cause, to attend, or 15
- (b) being in attendance as a witness at such inquiry, refuses to take an oath, produce a document, or answer a question where required so to do by the holder of such inquiry,

such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five pounds. 20

(5) The Minister shall certify his expenses in relation to an inquiry under this section and the amount certified shall be paid to the Minister out of the Hospitals Trust Fund and shall be paid into or disposed of by the Minister for the benefit of the Exchequer in such manner as the Minister for Finance directs. 25

Amendment of section 12 of the Public Hospitals Act, 1933.

5.—Section 12 of the Public Hospitals Act, 1933 (No. 18 of 1933), shall be construed and have effect in relation to every sweepstake held under the said Act after the passing of this Act as if— 30

- (a) the following words were added to paragraph (a) of sub-section (2) of the said section at the end of that paragraph, that is to say, “ or such lesser percentage of such moneys as the Minister for Justice may, when sanctioning the scheme for such sweepstake, determine ”, and 35
- (b) the following words were deleted from paragraph (b) of sub-section (2) of the said section, that is to say, “ and shall not exceed seven per cent. of the said moneys received from the sale of tickets in such sweepstake ”.

Amendment of section 14 of the Public Hospitals Act, 1933.

6.—Sub-section (6) of section 14 of the Public Hospitals Act, 1933 (No. 18 of 1933), shall have effect as if the words “ or assisted by ” were deleted therefrom. 40

Extension of exercise of certain powers.

7.—(1) In this section the expression “ the principal sub-section means sub-section (6) of section 14 of the Public Hospitals Act, 1933 (No. 18 of 1933), as amended by the immediately preceding section. 45

(2) For the purposes of the performance of the duties of the Minister and of the Hospitals Commission under the Public Hospitals Acts, 1933 to 1939, and this Act, any officer of the Minister duly authorised in that behalf by the Minister or any officer of the Hospitals Commission duly authorised in that behalf by the Hospitals Commission may exercise all or any of the powers specified in the principal sub-section. 50

(3) Any person who wilfully obstructs or interferes with the exercise by virtue of this section or the principal sub-section of any 55

of the powers specified in the principal sub-section or who fails to furnish any information which is at his disposal and which by virtue of this section or the principal sub-section he is called upon to give shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five pounds.

8.—The Public Hospitals (Amendment) Act, 1939 (No. 15 of Repeal, 1939), is hereby repealed.

9.—(1) This Act may be cited as the Public Hospitals (Amendment) Act, 1940. Short title and collective citation.

10 (2) The Public Hospitals Acts, 1933 to 1939, and this Act may be cited together as the Public Hospitals Acts, 1933 to 1940.

Eire.

Eire.

BILLE NA NOISPIDEAL PUIBLI (LEASU)
(UIMH. 2), 1940.

PUBLIC HOSPITALS (AMENDMENT) (No.
2) BILL, 1940.

BILLE

dá ngairmtear

Acht chun socrúithe do dhéanamh chun Coimisiún na nOispidéal do bhunú oifigí dar cúram eolas d'fháil agus do thabhairt ar an geóiríocht is ionfálta in óispidéal áirithe, chun socrúithe do dhéanamh chun gearán áirithe i dtaobh na n-oispidéal san d'iniúchadh, chun Acht na nOispidéal Puiblí, 1933, do leasú agus chun feidhmiú comhacht áirithe luaidhtear san Acht san do leathnú, chun Acht na nOispidéal Puiblí (Leasú), 1939, d'athghairm, agus chun socrúithe do dhéanamh i dtaobh nithe eile bhaineas leis na nithe roimhráite.

*Rithte ag dhá Thigh an Oireachtais,
16adh Bealtaine, 1940.*

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí aon díoltóir leabhar, no díreach ó Oifig Díolta Foillseacháin Rialtais, 3-4, Sráid an Choláiste, Baile Atha Cliath.

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[*Dhá Phinginn Glan.*]

WL7-414. 550. 5/40. C.&Co. (7569).

BILL

entitled

An Act to provide for the establishment by the Hospitals Commission of bureaus for obtaining and giving information as to the accommodation available in certain hospitals, to provide for the investigation of certain complaints relating to such hospitals, to amend the Public Hospitals Act, 1933, and to extend the exercise of certain powers specified therein, to repeal the Public Hospitals (Amendment) Act, 1939, and to provide for other matters connected with the matters aforesaid.

*Passed by both Houses of the Oireachtas,
16th May, 1940.*

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through any bookseller, or directly from the Government Publications Sale Office, 3-4, College Street, Dublin.

Printed by CAHILL & Co., LTD.

[*Twopence Net.*]