



CHAPTER v.

An Act to confirm a Provisional Order of the Minister of Health relating to the Rugby Joint Hospital District. A.D. 1933.
[29th March 1933.]

WHEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made a provisional order which needs confirmation by Parliament: 38 & 39 Vict. c. 55.

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The order of the Minister of Health which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Rugby Joint Hospital District) Act 1933. Short title.

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SCHEDULE.

RUGBY JOINT HOSPITAL DISTRICT.

*Rugby Joint
Hospital
Order.*

*Provisional Order under section 297 of the Public Health
Act 1875 amending and in part repealing certain
confirmation Acts.*

WHEREAS by the Rugby Joint Hospital Order 1905 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1905 the urban district of Rugby and the rural districts of Crick Monks Kirby and Rugby were constituted the Rugby Joint Hospital District of which the governing body is the Rugby Joint Hospital Board;

And whereas by the Rugby Joint Hospital Order 1924 which was confirmed by the Ministry of Health Provisional Orders Confirmation (No. 2) Act 1924 the basis on which the constituent councils contributed to expenses of the joint hospital board was altered;

And whereas by orders operating on the first day of April nineteen hundred and thirty-two and made by the Minister of Health under section 46 of the Local Government Act 1929 the urban district of Rugby was extended the rural district of Rugby was extended and diminished and the rural district of Monks Kirby was added to the rural district of Rugby;

And whereas by virtue of a charter granted by His Majesty under section 210 of the Municipal Corporations Act 1882 the urban district of Rugby on the ninth day of November nineteen hundred and thirty-two will become a municipal borough;

And whereas it is expedient that the provisional orders previously recited should be altered in the manner following:

Now therefore the Minister of Health in pursuance of the powers given to him by section 297 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows:—

Short titles
and com-
mencement.

1.—(1) This order may be cited as the Rugby Joint Hospital Order 1932 and the order of 1905 and this order may be cited together as the Rugby Joint Hospital Orders 1905 and 1932.

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(2) Save as in this order otherwise expressly provided this order shall come into operation on the date of the Act of Parliament confirming it.

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Order.*

Interpreta-
tion.

2.—(1) In the order of 1905 and in this order the expression “constituent authority” shall mean the council named in the second column of the first schedule to this order of a borough or district and the expression “constituent district” shall mean the borough or district named in the first column of that schedule.

(2) In this order—

“The joint board” means the Rugby joint hospital board;

“The Minister” means the Minister of Health;

“The order of 1905” means the Rugby Joint Hospital Order 1905.

3. The first schedule to this order is hereby substituted for the schedule to the order of 1905 and that order shall have effect accordingly.

Substitution of
new schedule for
schedule to
order of 1905.

4.—(1) Subject to the provisions of this order the persons mentioned in the third column of the first schedule to this order shall be members ex-officio of the joint board.

Members
ex-officio
of joint
board.

(2) If either of the persons mentioned in the third column of the first schedule to this order—

(a) is unwilling to act ex-officio as a member of the joint board; or

(b) is disqualified or becomes disqualified as a member of the joint board;

he shall send to the clerk of the joint board an intimation in writing of his unwillingness to act or disqualification (as the case may be) and thereupon the deputy-mayor of the borough of Rugby or the vice-chairman of the rural district council of Rugby unless he is disqualified for being a member of the joint board shall in substitution for the mayor or chairman become the member of the joint board who represents ex-officio the borough or the rural district of Rugby.

(3) Where in pursuance of this section the deputy-mayor of the borough of Rugby or the vice-chairman of the rural district council of Rugby becomes ex-officio a member of the joint board he shall cease so to be a member when the mayor or chairman in substitution for whom he acts ex-officio as a member ceases to be mayor of the borough or chairman of the rural district council.

5.—(1) The elective members of the joint board shall be elected by the constituent authorities.

Elective
members of
joint board.

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(2) The number of members of the joint board to be elected by each constituent authority shall be the number opposite the name of the constituent authority in the fourth column of the first schedule to this order and that number of members of the joint board shall be chosen by the constituent authority from among the members of the council.

(3) The provisions of article 11 of the order of 1905 shall apply to the first election by the rural district council of Rugby of the additional elective member to represent that council on the joint board as if the election related to the filling of a vacancy occurring on the date of the Act of Parliament confirming this order.

Power of
Minister to
increase
representa-
tion of
constituent
authority.

6. If on an application made by the joint board or a constituent authority it shall appear to the Minister that the rateable value of a constituent district has so increased as to render the representation of the council of that district on the joint board inadequate the Minister may by order provide for the appointment of additional members of the joint board by that council.

Common
fund of joint
board.

7.—(1) All the expenses incurred by the joint board shall be defrayed out of a common fund to which all the receipts of the joint board (including the sums payable to them in respect of the cost of maintenance in their hospitals of patients) shall be carried.

(2) So far as the common fund is not provided by the receipts referred to in subsection (1) of this section precepts shall be issued by the joint board in respect of each half-year to each constituent authority requiring them to pay a contribution to the common fund of the joint board.

(3) The contribution of each of the constituent authorities to the common fund of the joint board shall be based on the proportion which the rateable value of the constituent district according to the valuation list in force on the first day of April last preceding the date of the issue of the precept bears to the aggregate of the rateable values of all the constituent districts according to the valuation lists in force on that day.

(4) This section shall be deemed to have come into operation on the first day of October nineteen hundred and thirty-two and such adjustments shall be made by the clerk of the joint board of the precepts issued by the joint board in respect of the half-year commencing on that day as may be necessary to give effect to the provisions of this section.

Inquiries
and
expenses.

8.—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary for the purposes of this order and those inspectors shall for the purposes of any inquiry

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have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

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(2) Where the Minister causes any such inquiry to be held the costs incurred by the Minister in relation to that inquiry (including such reasonable sum not exceeding five guineas a day as the Minister may determine for the services of any inspector or officer of the Minister engaged in the inquiry) shall according as the Minister may direct be paid by the joint board or any constituent authority and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by the Minister to be so paid shall be a debt due to the Crown.

*Rugby Joint
Hospital
Order.*

9.—(1) On the date of the Act for the confirmation of this order the confirmation Act mentioned in part I of the second schedule to this order is hereby repealed in so far as it relates to the provisions of the order so mentioned which are indicated in the third column of that part of the schedule.

Repeal.

(2) As from the first day of October nineteen hundred and thirty-two each of the confirmation Acts mentioned in part II of the second schedule to this order in so far as it relates to the order mentioned opposite the confirmation Act shall be deemed to be repealed as respects the provisions of the orders indicated in the third column of that part of the schedule.

10. Nothing in this order shall affect the term of office of any person who immediately before the passing of the Act for the confirmation of this order is a member of the joint board.

Saving for
existing
members of
joint board.

11. Articles 23 and 24 of the order of 1905 (which relate to the adaptation of that order on an alteration of the constituent districts or constituent authorities and the settlement of differences arising out of the provisions of that order) shall extend to the adaptation of this order and the settlement of differences arising out of its provisions.

Application
of certain
provisions of
order of
1905.

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SCHEDULES.

FIRST SCHEDULE.

CONSTITUENT DISTRICTS AND AUTHORITIES AND NUMBER OF MEMBERS OF THE JOINT BOARD.

1.	2.	3.		4.
Name of borough or district.	Name of constituent authority.	Ex-officio members.		Elec- tive mem- bers. No.
		No.	Description.	
The borough of Rugby.	The council of the borough of Rugby.	1	The mayor of the borough.	5
The rural district of Crick.	The rural district council of Crick.	—	—	1
The rural district of Rugby.	The rural district council of Rugby.	1	The chairman of the rural district council.	3
	Total - -	2	Total - -	9

SECOND SCHEDULE.

CONFIRMATION ACTS IN PART REPEALED.

PART I.—REPEALS OPERATING ON THE DATE OF THE ACT FOR THE CONFIRMATION OF THIS ORDER.

Confirmation Act.	Order thereby confirmed.	Extent of repeal.
The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1905 (5 Edw. 7. c. lxxv.).	The Rugby Joint Hospital Order 1905.	Paragraphs (4) and (5) of article 1 of the order articles 5 6 8 and 9 of the order and the schedule to the order.

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 District) Act, 1933.*

PART II.—REPEALS OPERATING ON THE FIRST OF OCTOBER 1932. A.D. 1933.

Confirmation Act.	Order thereby confirmed.	Extent of repeal.
The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1905 (5 Edw. 7. c. lxxv.).	The Rugby Joint Hospital Order 1905.	Article 19 of the order.
The Ministry of Health Provisional Orders Confirmation (No. 2) Act 1924 (14 & 15 Geo. 5. c. xiv.).	The Rugby Joint Hospital Order 1924.	The whole of the order.

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