

[24 & 25 GEO. 5.] *Prince of Wales's
Hospital Plymouth Act, 1934.*

[Ch. lii.]



CHAPTER lii.

An Act to amalgamate the South Devon and East Cornwall Hospital Plymouth the Royal Albert Hospital Devonport and the Central Hospital Plymouth to make provision with respect to the property and funds of the said Hospitals to provide for the incorporation of the governing body of the amalgamated hospitals and for other purposes.

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[12th July 1934.]

WHEREAS the South Devon and East Cornwall Hospital Plymouth the Royal Albert Hospital Devonport and the Central Hospital Plymouth (hereinafter referred to as "the existing hospitals") were established mainly for the gratuitous reception for treatment of those adults and children within the area of the hospitals who are unable otherwise to provide the same for themselves:

And whereas the sites of the existing hospitals as described in the Second Schedule to this Act are now vested in trustees (hereinafter referred to as "the trustees") who also hold certain funded and other property on behalf of the hospitals:

And whereas the government of each of the existing hospitals is vested in a general board of governors of which all persons and representatives of all bodies subscribing above a certain minimum amount are

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And whereas each existing hospital has hitherto been governed administered and managed as a charitable institution having its property and funds held by trustees and the powers of the said charitable institutions and of the said trustees have been and are limited and defined by certain constitutions rules and regulations :

And whereas it is expedient that the existing hospitals should be amalgamated and that the governing body of the amalgamated hospital should be incorporated with further powers as in this Act provided :

And whereas the purposes aforesaid cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say) :—

Short title.

1. This Act may be cited as the Prince of Wales's Hospital Plymouth Act 1934.

Interpretation.

2. In this Act unless the context otherwise requires—

“The Corporation” means the body corporate constituted by this Act having its head office in the existing hospital buildings at Greenbank Road Plymouth or in such other suitable place as may be determined by the board;

“The existing hospitals” means the South Devon and East Cornwall Hospital Plymouth the Royal Albert Hospital Devonport and the Central Hospital Plymouth;

“The court” means the court of governors constituted as hereinafter provided;

“The board” means the board of management constituted and appointed as hereinafter provided;

“The byelaws” means the byelaws for the time being in force by virtue of the provisions of this Act.

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3. The persons who are for the time being the president vice-presidents life governors and governors under this Act and any byelaws made under this Act shall be and are hereby incorporated by the name of the Prince of Wales's Hospital Plymouth and by that name shall be a body corporate with perpetual succession and a common seal and with power to hold the properties referred to in the Second Schedule to this Act or any further land required for actual occupation for the purposes of the Corporation without licence in mortmain and subject to the provisions of the Mortmain and Charitable Uses Acts to purchase take hold and dispose of lands and other property for the purposes of this Act.

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Incorporation of hospital.

4. The objects for which the Corporation shall be deemed to have been incorporated shall include the continuance of the work hitherto carried on by the existing hospitals in accordance with the trusts upon which their respective properties and funds are held and any objects ancillary thereto and the provision of gratuitous medical and surgical treatment for those persons who are unable otherwise to secure such treatment.

Objects of incorporation.

5. The Corporation shall have all such powers and may perform all such acts as may be necessary or convenient for carrying into effect the objects for which the Corporation is incorporated and the other purposes of this Act.

Powers of Corporation.

6.—(1) As from the commencement of this Act the property described in the Second Schedule to this Act shall be and the same is by virtue of this Act and without any conveyance or other instrument vested in the Corporation for all the estate and interest of the trustees therein.

Transfer of property.

(2) All other property of whatsoever kind held in trust for or for the purposes of any of the existing hospitals except such property as is at the date of the passing of this Act vested in the Official Trustees of Charitable Funds shall immediately after the commencement of this Act be transferred by the trustees thereof to the Corporation.

7.—(1) The funds of the Corporation other than funds held or received by the Corporation upon special trusts shall be invested in any manner for the time being

General powers of investment.

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authorised by law for the investment of trust funds and the board shall have power to alter vary or transpose such investments into or for others of any nature hereinafter authorised but the board may in their discretion retain in their existing state of investment any funds received for the general purposes of the Corporation All funds held by the Corporation upon special trusts shall be invested in accordance with the provisions as to investment contained in the trust instrument.

(2) Neither the board nor the investment committee referred to in the byelaws shall be held liable for any loss due to the depreciation or insufficiency of any investment which has been effected in accordance with the provisions of this section.

Application
of property
of Corpora-
tion.

8. All property of the Corporation may be applied by the Corporation in furtherance of the objects for which the Corporation was incorporated and the other purposes of this Act Provided that any property held by the Corporation upon trust for any purpose other than the general purposes of the Corporation but ancillary thereto shall be applied by the Corporation only in accordance with the provisions of such trust.

Provision
as to
references
to existing
hospitals.

9. In any conveyance will deed or other instrument whether made before or after the passing of this Act any reference to any one or more of the existing hospitals shall be read and construed as a reference to the Corporation.

Existing
debts and
liabilities.

10. All debts and liabilities of any of the existing hospitals shall be discharged by the Corporation and any contracts entered into by or on behalf of any one or more of the existing hospitals shall be read and construed as if the Corporation had been mentioned therein instead of such one or more of the existing hospitals.

Court of
governors.

11. The persons from time to time being the president vice-presidents life governors and governors under this Act shall together constitute the court which shall have such powers as is provided by the byelaws and there shall be from time to time meetings of the court to be convened and to be held at such times for such purposes and in such manner as is by the byelaws provided.

12.—(1) Sir Henry Yarde Buller Lopes baronet D.L. J.P. C.C. shall be the first president under this Act and shall continue in office until his successor is elected at the next annual meeting after a period of three years from the commencement of this Act or his earlier resignation or death. A.D. 1934.
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President.

(2) On the occurrence of any vacancy in the office of president the court shall at a meeting to be held within twelve months after the occurrence of such vacancy elect some person to fill such vacancy for a period of three years or until the earlier resignation or death of the person so elected.

(3) The president for the time being shall be an ex-officio member of the board and of all committees thereof but a vacancy in the office of president shall not affect the existence or title of the Corporation or the powers of the court or of the board or of any committee.

13.—(1) Any person who immediately before the commencement of this Act was a vice-president of any of the existing hospitals shall be a vice-president under this Act. Vice-
presidents.

(2) Any donor of one hundred guineas or upwards at one time to the funds of the Corporation and any person duly nominated in writing by any corporation body or firm which shall be a donor of one hundred guineas or upwards at one time to the funds of the Corporation shall be entitled to become a vice-president under this Act Provided that not more than one person at a time shall be a vice-president on the nomination of any particular corporation body or firm.

(3) The court shall have power on the recommendation of the board from time to time to elect any person as vice-president under this Act who in the opinion of the court has rendered signal service to the Corporation and whose election in their opinion will benefit the Corporation.

(4) Every vice-president shall continue in office during his life or until his resignation.

14.—(1) Any person who immediately before the passing of this Act was a life governor of any of the existing hospitals shall be a life governor under this Act. Life
governors.

(2) The court shall have power from time to time to elect as life governor (a) any person who has rendered

A.D. 1934. service to the Corporation and whose election in their opinion will benefit the Corporation (b) any donor of twenty-five guineas or upwards at one time to the funds of the Corporation or (c) any person who shall be duly nominated in writing by any corporation body or firm which has been or shall be a donor of twenty-five guineas or upwards at one time to the funds of the Corporation Provided that not more than one person at a time shall be a life governor on the nomination of any particular corporation body or firm.

(3) Every life governor shall continue in office during his life or until his resignation.

Governors.

15. The persons hereinafter mentioned shall be governors under this Act during the respective periods hereinafter mentioned or until their several resignations within such periods respectively:—

(1) Subscribers of two guineas per annum or upwards to the funds of the Corporation so long as their yearly subscriptions shall respectively be continued;

(2) Members of the honorary medical and surgical staff during the tenure of their appointments.

Resignation of members of Corporation.

16. If it shall be resolved by a meeting of the court that the interests of the Corporation urgently require the resignation of any president vice-president life governor or governor and if it shall be further resolved that such president vice-president life governor or governor be called upon to resign such president vice-president life governor or governor shall thereupon and thenceforth ipso facto be held to have resigned for all purposes of this Act.

No such resolution shall be of effect unless it be passed at a meeting of the court by a majority of not less than three-fourths of those present and voting.

Board of management.

17. Subject to the provisions of this Act the management of the Corporation its property and affairs shall be entrusted to the board which shall be constituted as provided by the byelaws.

First members of board of management.

18. The first members of the board shall consist of the following:—

The Reverend Ernest Charles Atherton M.A. T.D.
Joseph Pearce Brown C.B.E. J.P. John Baring

Burnard Sidney John Cox Charles Rowland A.D. 1934.
Crowther M.D. Ch.B. B.C. Mrs. Ethel Foden
Mrs. Dorothea Grigg Courtenay Ashworth Ham
Arthur Newton Hollely J.P. C.C. Thomas
Aubrey Hunt Charles Matheson Kennedy M.B.E.
F.R.C.S. Charles Llewellyn Lander D.S.O. M.C.
J.P. C.C. M.B. B.S. (Lond.) Colin Dunrod
Lindsay M.D. M.R.C.S. L.R.C.P. Sir Henry
Yarde Buller Lopes baronet D.L. J.P. C.C.
George Frederick Hugh McCluskey Ernest
Nicholas Parson Kenrick Eyton Peck Mrs.
Florence Ethel Perkins Cyril Seymour Coode
Prance M.B. B.S. D.L.O. the Reverend
Richard Pyke Gerald Charles Frederick Robin-
son F.R.C.S. Colonel Henry Browse Scaife
Steuart Noy Scott M.R.C.S. L.R.C.P. Thomas
Henry Gostwyck Shore M.D. F.R.C.P. William
Wallis Urell Alfred John Meybohm Venning
Richard Henry Wagner M.D. M.Ch. James
Frederick Warren Phillip Wilmot M.B.
M.R.C.S. L.R.C.P. Humphrey William Wooll-
combe and Francis Russell Yeo;

of whom the following shall retire at the first annual meeting held after the commencement of this Act but shall be eligible for re-election:—

The Reverend Ernest Charles Atherton M.A. T.D.
Mrs. Dorothea Grigg George Frederick Hugh
McCluskey Colonel Henry Browse Scaife and
Francis Russell Yeo.

Of the remainder being governors five to be determined in such manner as the board may direct shall retire at the second third and fourth annual meetings respectively.

19. The board without prejudice to the generality of the provisions of the section of this Act of which the marginal note is "Board of management" may— Powers of board of management.

(a) Grant sell exchange mortgage lease or otherwise dispose of any of the lands tenements or hereditaments of the Corporation and purchase lease or otherwise acquire other lands tenements and hereditaments in place thereof or in addition thereto;

(b) Deal with the moneys and funds of the Corporation and prescribe and determine which and

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what parts thereof shall be retained or realised to meet current expenditure and which and what parts shall be invested for the permanent benefit of the Corporation (except in so far as any such matters shall be affected by any trust or specific appropriation by donors or by statutory enactments respecting the same);

- (c) Receive and invest donations of money given for specific purposes and apply any money so received and invested for such specific purposes;
- (d) Expend such moneys of the Corporation in the erection of such buildings and the provision of such equipment and appliances as may appear to them from time to time to be necessary and generally to enter into all such acts for the execution of works and for the supply of goods for the purposes of the Corporation and all other contracts connected with the administration thereof which they shall deem expedient;
- (e) Give such directions and make such arrangements as appear to them to be necessary for appeals for funds for the Corporation or for any particular object or department of or connected with the Corporation;
- (f) Borrow temporarily from the Corporation's bankers or otherwise for the purpose of meeting current expenses;
- (g) Appoint and remunerate at such salaries and wages as they think fit such officers and servants as they may determine and (subject to the provisions of the section of this Act of which the marginal note is "Officers") remove or suspend any of such officers or servants;
- (h) Bring and maintain or defend all such actions and suits in the name of or on behalf of the Corporation as they shall think fit and compromise or refer to arbitration any actions suits disputes or demands which shall arise in the course of the administration of the Corporation and also abandon or submit to any claim to be made by or against the Corporation;

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- (i) Subscribe to any convalescent hospital or home or homes or kindred institutions in such manner and extent and upon such terms as they may find expedient in order to enable the Corporation to send patients thereto;
- (j) Arrange or contract for the absorption of or co-operation or joint working with any other institution association or body (whether incorporated or not) for the reception and treatment of patients;
- (k) Provide for the welfare of persons in the employment of or formerly in the employment of the Corporation or any of the existing hospitals and their dependants by granting money by way of gratuity retiring allowance or pension or otherwise as may be found expedient;
- (l) Publish and pay the expense of publishing any literature which the Corporation may regard as conducive to the furtherance or attainment of the objects of the Corporation and contribute to the expense of such literature published by any person or association;
- (m) Print publish buy or sell books magazines catalogues and other publications relating to the work of the Corporation;
- (n) Purchase lease or otherwise acquire and establish and maintain houses residential establishments or rooms for the accommodation of the medical surgical nursing and domestic staffs of the Corporation or any other officials or servants in its employment;
- (o) Charge fees in respect of instruction given to students or graduates whether medical or otherwise;
- (p) Prescribe requirements for admission of students for the carrying out of research work inauguration of training schools and the conferring of degrees and diplomas;
- (q) Establish a branch hospital or hospitals or kindred institution or institutions in suitable centres.

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Com-
mittees.

20. The board shall annually appoint a finance committee a house committee a nursing committee and any other committee as they shall think fit and subject to the byelaws may delegate to such committees such powers and duties as they deem expedient.

Officers.

21. The board shall from time to time appoint and dismiss as it may deem expedient (in conformity with the byelaws) such number of (a) honorary physicians and surgeons and such other honorary medical officers (b) honorary officers (other than the honorary medical officers) and (c) salaried officers and respectively possessing such qualifications as may from time to time be prescribed by the byelaws Provided that no one at present enjoying any office honorary or salaried in any existing hospital shall be deprived of such as a consequence of amalgamation unless in the opinion of the board the continuance in office of such officer would be contrary to the welfare of the patients or the interests of the Corporation.

Existing
honorary
medical
officers.

22. Subject to the provisions of the section of this Act of which the marginal note is "Officers" any member of the honorary medical and surgical staff under the age of sixty-five holding any honorary appointment at any of the existing hospitals at the date of this Act may retain such appointment as an officer of the Corporation until attaining sixty-five years of age and in the case of those exceeding sixty-five years at such date for such further period as the board may determine.

Byelaws.

23. The board shall have power from time to time to make alter and revoke byelaws with respect to the management of the Corporation its undertaking property and affairs the court the board and the officers servants employees and patients and in particular (but without prejudice to the generality of the foregoing provisions of this section and subject to the provisions of sections 14 and 15 of this Act) for all or any of the following matters :—

- (a) The qualifications election and disqualification of life governors and governors the conditions and duration of governorships including the regulation and determination of the contributions to the funds of the Corporation or any

other services entitling any person to the A.D. 1934.
privileges of a governor or any of them; —

- (b) The privileges to be exercised by governors and any other benefactors to the Corporation;
- (c) The constitution of the board and the appointment qualification election nomination term of office duties and powers of the members of the board or any committee thereof;
- (d) The appointment from time to time and qualification of the physicians surgeons and all other medical and other officers and the nurses and servants of the Corporation the appointment of whom is not by this Act otherwise expressly provided for;
- (e) The summoning and holding of and the procedure and business to be transacted at the annual or special meetings of the court and meetings of the board and any committee thereof and the rights and duties of persons present at such meetings and the quorum necessary to constitute a meeting;
- (f) The management of and dealing with the property of the Corporation.

24. The first byelaws shall be those set forth in the First Schedule to this Act and shall continue in force until altered or revoked in accordance with the provisions of this Act Such byelaws shall supersede any byelaws relating to the existing hospitals in force at the date of the passing of this Act. First byelaws.

25. No byelaw shall be revoked or altered and no new byelaw shall take effect until submitted to and approved by the board at a meeting with respect to which not less than seven days' previous notice in writing has been given to every member of the board that such revocation alteration or new byelaw will be taken into consideration thereat. Alteration of byelaws.

26. A printed copy of the byelaws purported to be certified by the president and one of the vice-presidents or the chairman or vice-chairman of the board to be the byelaws for the time being in force shall be admissible in all proceedings as prima facie evidence thereof respectively without further proof. Proof of byelaws.

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Accommo-
dation for
and charges
to paying
patients.

27.—(1) Notwithstanding anything contained in this Act or the trusts express or implied upon which the property and funds of the Corporation are held the Corporation may maintain such parts of any buildings belonging to the Corporation and such and so many beds therein and for such period as the Charity Commissioners may from time to time by order authorise for the reception and treatment of patients who are able and willing to pay such maximum charges as shall be specified by the Charity Commissioners in such order.

(2) The Corporation may charge such patients fees not exceeding such maximum fees as may be specified in any order for the time being in force made by the Charity Commissioners in pursuance of the powers conferred by this section.

Saving for
jurisdiction
of Charity
Commis-
sioners.

28. Nothing in this Act shall take away abridge or affect any power or jurisdiction of the Charity Commissioners or dispense with obtaining their consent where such consent would be required under the Charitable Trusts Acts 1853 to 1925.

Costs of
Act.

29. The costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and passing of this Act shall be paid by the Corporation out of the funds of the Corporation.

The SCHEDULES referred to in the
foregoing Act.

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THE FIRST SCHEDULE.

FIRST BYELAWS OF THE CORPORATION.

Meetings of the Court of Governors.

(1) (a) An annual meeting of the court shall be held in February or on such other date as may be determined by the board.

(b) At such meeting a report of the proceedings of the Corporation for the preceding year shall be presented by the board and after such meeting printed and circulated among the governors and subscribers to the funds of the Corporation.

(c) The ordinary business of such annual meeting of the court shall be to consider the report of the board and all matters arising therefrom to appoint the honorary treasurer to announce the personnel of the board for the ensuing year and to consider any other business of which notice shall be given in the circular letter convening the meeting.

(d) A special meeting of the court may be convened by the board at any time that they may consider necessary.

(e) A special meeting of the court shall be called on a requisition signed by twenty governors and delivered to the secretary.

(f) All meetings of the court shall be convened by notice in such local newspapers as the board shall determine at least fourteen days previous to the date of the meeting and by a circular letter to be sent through the post at least six days before the date of the meeting to every member of the court whose address is known and such circular letter shall specify the business to be brought forward at the meeting. No business (other than ordinary business) of which notice shall not be given shall be transacted thereat.

(g) In order to constitute a meeting of the court there shall be present at least fifteen members of the court and if within fifteen minutes after the time appointed for such meeting there shall not be fifteen members present such meeting if it be the annual meeting shall stand adjourned until that day fortnight when the members present shall form a quorum and if it be a special meeting shall be dissolved.

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(h) At every meeting of the court the president or failing him the chairman the vice-chairman or their deputy of the board (in order named) or if there be none present then some one of the members of the court elected by the meeting shall preside.

(i) Any meeting of the court may be adjourned by the vote of the majority of persons present from time to time and from place to place but no other business shall be transacted at such adjourned meeting other than the business left unfinished at the meeting from which such adjournment took place.

(j) Each member of the court shall have one vote only at a meeting of the court.

(k) At every meeting of the court all matters shall be decided by a majority of votes of the members present and in case of an equality of votes the chairman of the meeting shall have a casting vote.

(l) No member of the court shall be entitled to vote while his subscription is in arrear.

(m) Proper minutes of the proceedings of all meetings of the court shall be kept by the secretary and shall when confirmed at a subsequent meeting of the court be signed by the chairman of such meeting.

Board of Management.

(2) (a) The following shall constitute the board of management :—

- (i) The president of the Corporation;
- (ii) The honorary treasurer;
- (iii) The chairman and honorary secretary of the medical committee for the time being and two other members of the honorary medical staff elected by the medical committee;
- (iv) One representative of the Plymouth Division of the British Medical Association who is not on the honorary staff of any voluntary hospital and nominated by that body;
- (v) Four members of the Plymouth Voluntary Hospitals Committee (of whom two shall be members of the contributors' council) nominated by that committee;
- (vi) Twenty members elected in accordance with the provisions of the byelaws.

(b) (i) Of the twenty elected members five (being the seniors in point of service) shall retire annually in rotation their places being filled by the election of new members. The retiring members shall be eligible for re-election.

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(ii) The first or any subsequent board may fill up any vacancy that may occur in their body between one annual general meeting and the next and may act notwithstanding any vacancy in their body and any person so appointed to fill any vacancy shall retire at the next annual meeting of the court. A.D. 1934.

(c) Any governor intending to nominate a member or members of the board shall send to the secretary at least twenty-eight days prior to the annual meeting of the court the name of each governor whom he nominates. The secretary shall forthwith write to each governor so nominated requesting to know whether in the event of election such governor would be willing to serve.

(d) A list of the governors nominated shall be affixed by the secretary in a conspicuous place in the board room and the names of such as consent to act as well as of those who retire shall be inserted in the advertisement convening the annual meeting of the court.

(e) If a sufficient number of governors to fill the vacancies occurring by rotation or otherwise shall not so consent the board shall nominate a sufficient number of subscribers to make up the full complement of the board.

(f) If the number of nominations exceed the number of vacancies an election shall be conducted by a committee of not less than three governors chosen by the board to act as scrutineers. A governor wishing to vote at such an election must send to the scrutineers at the head office of the Corporation on the form supplied with the annual report a list signed by him of the names of the persons whom he wishes to select from those so nominated and consenting to act not exceeding the number of vacancies.

(g) These voting papers must reach the scrutineers not later than seven o'clock on the Friday evening preceding the annual meeting of the court.

(h) The declaration of the poll shall be made by the chairman at the annual meeting of the court.

(i) If any member of the board shall (a) become bankrupt or make any composition with or assignment for the benefit of his creditors (b) become of weak or unsound mind (c) cease to reside within the hospital area (d) signify by writing to the chairman of the board his desire to be no longer a member (e) be absent from all meetings of the board for the space of six months without the permission of the board or (f) become individually interested whether directly or indirectly in the profit to arise from any contract to be entered into by or on behalf of the Corporation such member of the board shall as from the happening of any of the events hereinbefore specified become disqualified from being and be deemed to have ceased to be a

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member of the board Provided always that no acts or proceedings of the board or of any committee thereof shall be invalidated by reason of such disqualified person having joined therein or been party thereto.

(j) Every contract entered into by or on behalf of the Corporation (except contracts the matter whereof shall not be of the value of one hundred pounds) shall be reported to the board at their next meeting for approval and shall not be binding on the Corporation unless and until it is approved by the board.

(k) Every member of the board shall be entitled to be indemnified out of the property and effects of the Corporation against every liability incurred by him in the administration of the affairs of the Corporation.

(l) The board shall meet every Thursday morning at eleven o'clock (or on such other day and time as they shall from time to time appoint) for the transaction of business Six members shall form a quorum.

(m) The board shall as soon as conveniently may be after each annual meeting of the court elect a chairman and vice-chairman to the board to hold office for the ensuing twelve months At every meeting of the board the chair shall be taken by the chairman if present or in case of his absence by the vice-chairman.

(n) The board may at any time elect a member of the board to act as a deputy of the chairman and vice-chairman and such deputy shall take the chair without election at every meeting of the board at which he is present and at which neither the chairman nor the vice-chairman is present In the absence of the chairman and vice-chairman and their deputy the member of the board senior in length of service who is present shall (if willing) take the chair without election.

(o) At meetings of the board each member shall have one vote Matters brought before the board shall be determined by the majority of the votes of the members present In case of an equality of number of votes the chairman of the meeting shall have a casting vote.

(p) All payments (except petty cash payments) shall be made by cheques to be signed by two members of the board and countersigned by the secretary.

(q) Proper minutes of the proceedings of the board shall be kept by the secretary and shall when confirmed at a subsequent meeting of the board be signed by the chairman of such meeting.

(r) The board shall as soon as conveniently may be after the annual meeting of the court appoint at least three of its members to act as a finance committee The duties of the finance committee shall be to direct and supervise the finances

and accounts of the Corporation and to report to the board and to perform such other duties as the board may from time to time prescribe. They shall see that the accounts are duly kept and punctually prepared for examination by the auditors. A.D. 1934.

(s) The board shall as soon as conveniently may be after the annual meeting of the court appoint a house committee. The house committee shall give special attention to the sanitary and domestic arrangements of all hospital buildings belonging to the Corporation and discharge all other duties which may be delegated to them by the board.

(t) The board shall as soon as conveniently may be after the annual meeting of the court appoint a committee of not less than five (of whom two shall be nominated by the medical committee from their members) to act as a nursing committee. Such committee shall give special attention to all matters relating to the organisation, training, duties and conditions of the service of the nursing staff, and shall discharge all other duties which may be delegated to them by the board.

(u) The board shall as soon as conveniently may be after the annual meeting of the court appoint a committee which shall consist of not less than five persons (of whom the majority shall not be members of the board) to act as an advisory investment committee in respect of the funds of the Corporation.

(v) All matters relating to the exercise by the board of their powers under this Act with respect to the investment of the funds of the Corporation shall stand referred to the investment committee and the board before exercising any such powers shall unless in their opinion the matter is urgent receive and consider the report of the investment committee with respect to the matter in question.

(w) The board shall as soon as conveniently may be after the commencement of this Act appoint a secretary. The secretary shall perform such duties as are prescribed by the byelaws and such other duties as the board may determine and shall be paid such salary as the board think fit. Any vacancy in the office of secretary shall be filled by the board as soon as conveniently may be after the occurrence thereof and during any such vacancy the board may appoint any other officer or servant temporarily to discharge the duties of the secretary.

(x) The chairman of the board and the honorary treasurer shall be ex-officio members of all committees of the board.

Honorary Treasurer.

(3) The receipts of the honorary treasurer for the time being of the Corporation for any moneys or effects for the time being belonging to the Corporation or for the time being held by any other person or persons in trust for the purposes of the Corporation

A.D. 1934. or any of the existing hospitals shall effectually discharge all persons taking such receipts and such last-mentioned persons shall be entirely exonerated from all liability to see to the application of such money or effects.

Honorary Medical and Surgical Staff.

(4) (a) The honorary medical and surgical staff shall be appointed by the board and shall consist of the physicians assistant physicians surgeons assistant surgeons gynæcologists ophthalmic surgeons aural surgeons radiologists anæsthetists dental surgeons and the medical officer of any special department at present existing or that may be hereafter created and such other persons as the board may determine. A member of such staff must be a registered medical practitioner. Honorary physicians and honorary assistant physicians must be doctors of medicine of a university of the United Kingdom or fellows or members of the Royal College of Physicians of London or Edinburgh. Honorary surgeons and honorary assistant surgeons must be masters of surgery of a university of the United Kingdom or fellows of the Royal College of Surgeons of England or Edinburgh.

(b) The medical officers in charge of special departments must be qualified as above or be in possession of the diplomas granted in their specialities. Subject to the foregoing paragraphs one member of the honorary medical staff shall hold such qualifications as would enable him to become a member of the British Homœopathic Society.

(c) Two persons being partners or practising together under any arrangement shall not hold appointments on the honorary medical or surgical staff at the same time and in the event of a partnership or other business connection taking place between any two such persons the board shall decide which of the two shall retire. No member of the honorary medical or surgical staff shall receive directly or indirectly any reward or remuneration whatsoever for his professional services to the Corporation. This rule shall not apply to the fees paid for lectures to the nursing staff or out of staff funds or for professional services to patients not treated in the general wards of the Corporation or for such other services as may be approved by the board.

(d) Any member of the honorary medical and surgical staff when absenting himself from duty shall arrange with some other member of the honorary staff to perform his duties for him and shall advise the board through the secretary of his intended absence.

(e) Honorary physicians and surgeons on the senior staff shall respectively practise medicine or surgery only. No person appointed a member of the honorary medical and surgical staff

as physician assistant physician surgeon or assistant surgeon to the Corporation shall without the sanction of the board of management hold any active professional appointment to any other medical charity in Plymouth. A.D. 1934.
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(f) All members of the honorary staff shall retire from office on attaining sixty years of age.

(g) When any member of the honorary staff shall retire the board may appoint him to be a consulting member of the honorary staff and such consulting member may be summoned to all meetings of the medical committee and shall retain all the privileges which he enjoyed as an honorary officer except that of treating patients of the Corporation.

(h) In selecting persons for appointment as members of the honorary medical and surgical staff the board shall consult with the medical committee.

(i) On the resignation or death of a member of the honorary staff if the board determine to make an appointment to the honorary staff in place of the member who has resigned or died a declaration of such determination shall be forthwith recorded by the board in the minutes of their proceedings. The board shall thereupon give at least twenty-one days' notice by advertisement in such newspapers and publications as they shall think fit of any appointment they desire to make.

(j) The advertisement shall set forth the appointment about to be made the qualifications required of candidates and the day on or before which applications and testimonials must reach the secretary.

(k) Any appointment to the honorary staff shall be made at a meeting of the board to be held not later than eight weeks after the date of such declaration as aforesaid.

(l) The appointment shall however be postponed in either of the undermentioned cases :—

(i) If previous to the date fixed for making the said appointment the board shall resolve that it is desirable to postpone making the said appointment; or

(ii) If at the meeting at which the appointment would have been made it shall be resolved that the appointment be postponed.

(m) Candidates for any appointments on the honorary staff shall be prohibited from personal canvass but may send copies of their applications and testimonials to the members of the board.

(n) The board may by resolution passed by not less than three-fourths of its members after at least fourteen days' notice by post has been given of the intention to move such a resolution

A.D. 1934: call for the resignation of any honorary officer under the following circumstances:—

- (i) Absence from duties for a period of six months without good and sufficient cause previously made known to and accepted by the board;
- (ii) Mental or physical incapacity for a prolonged period;
- (iii) Whenever in the opinion of the board his continuance in office would be injurious to the welfare of the patients or the interests of the Corporation.

Medical Committee.

(5) (a) The medical committee shall consist of the honorary medical and surgical staff as defined by the preceding byelaw and shall annually appoint a chairman a secretary and an executive committee consisting of not more than twelve members of whom five shall form a quorum. The member senior in length of service present at any meeting of the committee shall act as chairman.

(b) The medical committee shall examine and report to the board upon the testimonials of the candidates for appointment as resident medical or surgical officer house surgeon dispenser or other technical assistant.

(c) All matters relating to the purchase of surgical instruments and apparatus shall be referred to the medical committee but they shall not have power to give orders for the purchase thereof without the previous sanction of the board.

(d) The medical committee shall have the supervision of the medical and surgical work of the Corporation. No rule regulation or recommendation of the medical committee shall have any force until the minutes of the meeting recording the same which shall be kept in a suitable book shall have been read to and confirmed by the board.

(e) During the hours of attendance of the honorary staff the medical surgical and special departments may be visited by any qualified medical practitioner upon the introduction of a member of the honorary staff. No such practitioners shall in any way interfere with the treatment of patients.

(f) The medical committee shall frame rules for the conduct of all pupils attending any hospital of the Corporation and medical students approved by the board may be admitted to attend any such hospital at such times and on such terms and payment of such fees and under such recommendations as the board in consultation with the medical committee shall from time to time determine.

(g) The duties of honorary officers and resident medical officers shall be defined and regulated by rules drafted by the medical committee and approved by the board.

Other Officials of the Corporation.

A.D. 1934.

(6) (a) The board shall appoint such chaplains for the members of the Church of England for the members of the Roman Catholic Church and for Free Churchmen generally as the board may determine but clergymen and other ministers of religion shall have access to the wards at all reasonable hours at the discretion of the resident medical officers to give spiritual aid or advice to and to visit members of their respective parishes or congregations or to any patients who may wish to see them. The chaplains shall receive no remuneration from the general funds of the Corporation.

(b) The board shall annually appoint one or more auditors who shall be a professional accountant or professional accountants who shall examine and certify the accounts for the year and such accounts when certified shall be printed and circulated fourteen days at least before the annual meeting of the court. The auditors shall each year verify the securities belonging to the Corporation. The board shall fix the remuneration. All accounts shall be kept on the "revised uniform system" as laid down by the King Edward Hospital Fund for London the year of accounts beginning and ending on the first day of January and the thirty-first day of December respectively.

(c) The pathologist shall have the care and custody of the pathological laboratory and all apparatus instruments and specimens connected with the work of the Corporation which may be submitted to him by the staff keeping written records of the same and shall carry out generally such other work in relation to pathological science as may be required of him including post-mortem examinations.

He shall be permitted to carry on pathological and bacteriological investigations for private patients or public bodies in any laboratory of the Corporation concurrently with similar work for the Corporation under such regulations as may be determined from time to time by the board. Candidates for the office of pathologist shall be medical practitioners registered according to the provisions of the Medical Acts.

The custody and management of the museum shall be confined to the pathologist and he shall see that it is kept in proper order.

Salaried Staff.

(7) (a) Any officer or servant shall be dismissed who shall receive directly or indirectly from any tradesman or patient any fee reward or gratuity.

(b) The board may with the consent of the medical committee appoint any officer in charge of a special department to membership of the medical committee.

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Admission of Patients and Tickets of Recommendation.

(8) No person shall be treated as a patient in the general wards of the Corporation without a subscriber's ticket of recommendation or a contributor's certificate except in case of accident or emergency. A ticket of recommendation shall not necessarily enable the holder thereof to any benefit of the Corporation.

Privileges of Benefactors.

(9) Benefactors shall be entitled to the following privileges (namely) :—

Governors and other benefactors shall have the privilege of recommending in-patients according to the following scale :—

(i) Annual subscribers for each two guineas may recommend one in-patient ;

(ii) The representatives of organised collections and friendly societies for each two guineas may recommend one in-patient ;

(iii) For each church or chapel collection the clergyman minister or representative for each two guineas may recommend one in-patient ;

(iv) Donors may recommend one in-patient during the current year for each two guineas contributed ;

(v) Donors of not less than twenty-five guineas may recommend one in-patient annually.

Letters of recommendation are available for twelve calendar months after the receipt of the subscription or donation entitling the donor to same.

Endowment of Beds and Cots.

(10) One thousand pounds shall endow a bed and five hundred pounds a cot.

A bed or cot so endowed may be named in accordance with the wishes of the donor who shall have the power during life to recommend one patient at a time to occupy a bed or cot respectively subject to any byelaws of the Corporation governing the admission of patients.

Seal.

(11) The common seal shall be kept at the head office of the Corporation in a box under two differing locks with two keys to each lock. The keys shall be kept by such officials of the Corporation as the board shall from time to time direct but so that the box cannot be unlocked unless two of such officials are present. The seal shall not be affixed to any instrument except

by the authority of a resolution of the board and shall be attested by the signature of two members of the board and the secretary. A.D. 1934.

General Provisions.

(12) (a) All subscriptions are due on the first day of January in every year.

(b) All contracts with or purchases from tradesmen (unless when the circumstances of the case require otherwise) shall be by public tender sealed and addressed to the chairman of the house committee.

(c) Thirty per centum of the medical beds at the hospital known at the date of the passing of this Act as "the Central Hospital" shall always be available for treatment by homœopathy if required.

Notices.

(13) A notice may be served either personally or by sending it by post to the last known address of the person to whom it is sent and a notice sent by post shall be deemed to be served on the day on which it would in the ordinary course of post be delivered and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and posted.

THE SECOND SCHEDULE.

Description of property.	Names of trustees in whom vested immediately before commencement of this Act.
1. (a) Freehold land and buildings situate at Greenbank Road and Clifton Place Plymouth in the county of Devon known as the South Devon and East Cornwall Hospital.	Sir Henry Yarde Buller Lopes. The Rt. Hon. Piers Alexander Hamilton Earl of Mount Edgcumbe. James William Sleigh Godding. Massey Edgcumbe Lopes. John Charles Williams.
(b) Freehold dwelling-house and garden situate at No. 10 Woodside Plymouth aforesaid.	Thomas George Greek Wills.

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Description of property.	Names of trustees in whom vested immediately before commencement of this Act.
2. (a) Leasehold land situate at Devonport Plymouth aforesaid and known as the Royal Albert Hospital.	The Rt. Hon. Piers Alexander Hamilton Earl of Mount Edgumbe. Alfred John Meybohm Venning.
(b) Leasehold land and building situate at Chapel Street Plymouth aforesaid known or lately known as the Stonehouse Public Dispensary.	Joseph Boyd Love. Kenrick Eyton Peck. John Alfred Pearce. James Clifford Tozer.
3. Freehold premises at 15 and 16 Lockyer Street Plymouth aforesaid and known as the Central Hospital Plymouth.	Edith Alice Ball. Richard Harris. Francis Russell Yeo. George Frederick Hugh McCluskey. William George Heath. Cadwallader George Brian. John Toone Carkeet. William Hamilton Jollow Priest.

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FOR

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