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The following Draft Ordinances which will be introduced during the First Session of the Second Legislative Assembly are published for general information.

F. P. COURTNEY CLARKE,
Acting Secretary for South West Africa.

Administrator's Office,
Windhoek.

- (1) Hospitals and Charitable Institutions Ordinance, 1929 6024
- (2) Wild Animals Export Control Ordinance, 1929 6036
- (3) The Electric Power Law Amendment Ordinance, 1929 6037
- (4) The Insurance Ordinance Amendment Ordinance, 1929 6038

Die volgende Ontwerp-ordonnansies, wat gedurende die Eerste Sessie van die Tweede Wetgewende Vergadering voorgelê sal word, word vir algemene informasie gepubliseer.

F. P. COURTNEY CLARKE,
Waarnemende Sekretaris vir Suidwes-Afrika.

Administrateurskantoor,
Windhoek.

- (1) Ordonnansie op Hospitale en Liefdadigheids Inrigtings 6024
- (2) Ordonnansie van 1929 betreffende die Kontrole oor die Uitvoer van Wilde Diere 6036
- (3) Die Elektriese Kracht Wet Wysigingsordonnansie, 1929 6037
- (4) Versekerings-Ordonnansie Wysigingsordonnansie, 1929 6038

DRAFT ORDINANCE

To provide for the establishment, maintenance and management of hospitals and kindred charitable institutions.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the General-Governor, in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message through the Administrator in accordance with the provisions of section *twenty-six* of the South West Africa Constitution Act, 1925, of the Parliament of the Union of South Africa, as follows:--

Definitions.

1. In this Ordinance, unless the contrary intention appears--

"area" means a hospital area constituted under this Ordinance;

"board" means a hospital board constituted under this Ordinance;

"contributor" means any person who in any area has subscribed, collected or raised by any means not less than one pound during the preceding financial year, or any person who has at any time subscribed not less than twenty pounds in one donation, towards the general funds of the board;

"Honorary Visiting Medical Officer" means a registered medical practitioner, who holds any medical appointment from the board at an institution under the control of that board and is not in receipt of any salary, fees or other emoluments from such board in respect of the professional services rendered by him in connection with such appointment;

"institution" means any hospital and kindred charitable institution under the control or management of a board under this Ordinance;

"Lay Inspector" means the Lay Inspector of institutions appointed under this Ordinance;

"Medical Inspector" means the Medical Inspector of institutions appointed under this Ordinance;

"old board" means any board established under the provisions of any law repealed by this Ordinance including any board established for a hospital district the constitution of which is ratified by section *sixty-eight*.

"private institution" or "semi-private institution" means any institution which is not under the control or management of a board under this Ordinance;

"relief" includes maintenance and every form of medical, surgical or nursing assistance given by the board in execution of its powers to any person in connection with any institution.

Exemptions.

2. Nothing in this Ordinance, excepting the powers of inspection conferred by section *forty-nine* hereof, shall apply to any institution directly controlled or maintained by the Administration or by any municipality, or to any institution maintained by any religious organisation or body, by any person, company, society or charitable organisation.

HOSPITAL AREAS.

3. Every hospital district constituted as such by or under the provisions of any of the laws hereby repealed, is hereby constituted an area for the purposes of this Ordinance.

4. (1) The Administrator may by notice in the *Gazette* constitute any one or more magisterial districts or any portion or portions of any one or more of such magisterial districts (including any municipality therein, if any) to comprise an area under this Ordinance.

(2) The Administrator may from time to time by notice in the *Gazette* include in any area any land adjoining such area but not forming part of any area, or any portion or portions of any area or areas adjoining such area. The Administrator may from time to time by notice in the *Gazette* subdivide any area into two or more areas.

(3) He shall not exercise the powers conferred under this section except on presentation of a petition signed by not less than twenty-five persons registered as voters for the election of members of the Legislative Assembly in the proposed area requesting him to do so, and until he has consulted the council of every municipality, if any, in the proposed area, and until he has advertised his intention to exercise such powers, once a week for three consecutive weeks in some newspaper circulating in such proposed area, and has considered all objections or counter-petitions received by him within one month after the date of the last publication of such advertisement.

Conversion of existing hospital districts into hospital areas.

Constitution of new hospital areas.

ONTWERPORDONNANSIE

Om voorsiening te maak vir die oprigting, onderhoud en bestuur van hospitale en dergelike liefdadigheid-sinrigtings.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied van Suidwes-Afrika, met die toestemming van die Goewerneur-generaal, insover sodanige toestemming benodig is, nadat dit vooraf ontvang en aan die Wetgewende Vergadering deur boodskap van die Administrateur, ooreenkomstig die bepaling van artikel *ses-en-twintig* van die Zuidwest-Afrika Konstitutie Wet 1925, van die Parlement van die Unie van Suidafrika, nagegeedeel is, as volg:--

1. In hierdie Ordonnansie, tensy die teenoorgestelde bedoel word:--

beteken "wyk" 'n hospitaalwyk ingevolge hierdie Ordonnansie ingestel;

beteken "raad" 'n hospitaalraad ingevolge hierdie Ordonnansie ingestel;

beteken "bydraer" enige persoon wat in enige wyk minstens een pond gedurende die voorafgaande boekjaar bydra, kollekteer of op enige wyse insamel of enige persoon, wat ter enige tyd minstens twintig pond in een geskenk by die algemene fondse van die Raad bydra;

beteken "Honorêre Diensdoende Geneesheer" 'n geregistreerde geneesheer wat, van die raad enige geneeskundige betrekking aan 'n inrigting, onder die kontrole van die raad, beklee en geen salaris, fojie of ander beloning van sodanige raad ten opsigte van beroepsdienste ontvang, wat deur hom in verband met sodanige aanstelling bewys word;

beteken "inrigting" enige hospitaal en verwante liefdadigheidsinrigting onder die kontrole of bestuur van die raad ingevolge hierdie Ordonnansie;

beteken "Leekinspekteur" die Leekinspekteur van inrigtings, aangestel ingevolge hierdie Ordonnansie;

beteken "Geneeskundige Inspekteur" die Geneeskundige Inspekteur van inrigtings aangestel ingevolge hierdie Ordonnansie;

beteken "ou raad" enige raad ingestel kragtens die voorsienings van enige wet wat deur hierdie Ordonnansie herroep word, insluitende enige raad ingestel vir 'n hospitaaldistrikt, die instelling waarvan deur artikel *ag-en-sestig* bevestig is;

beteken "private inrigting" of "semi-private inrigting" enige inrigting, wat nie onder die kontrole of bestuur van 'n raad ooreenkomstig hierdie Ordonnansie staan nie;

sluit "onderstand" onderhoud en elke vorm van geneeskundige, heelkundige en verplegingshulp in, wat deur die raad by uitoefening van sy bevoegdhede aan enige persoon in verband met enige inrigting verstrek word.

2. Niks in hierdie Ordonnansie, behalwe die bevoegdhede van inspeksie verleen deur artikel *neën-en-veertig* hiervan, is van toepassing op enige inrigting wat regstreeks deur die Administrasie of deur enige munisipaliteit beheer of onderhou word, of op enige inrigting wat deur enige godsdienstige organisasie of liggaam of deur enige persoon, maatskappy, vereniging of liefdadigheidsorganisasie onderhou word.

HOSPITAALWYKE.

3. Elke hospitaaldistrikt, deur of ingevolge die voorsienings van enige van die hierdeur herroepde wette as sodanig ingestel, word hiermee as 'n wyk vir die doeleindes van hierdie Ordonnansie ingestel.

4. (1) Die Administrateur kan deur kennisgewing in die *Offisiële Koerant* enigeen of meer magistraatsdistrikte of enige gedeelte of gedeeltes van enigeen of meer van sodanige magistraatsdistrikte (insluitende enige munisipaliteit daarin, indien enige), as 'n Wyk kragtens hierdie Ordonnansie instel.

(2) Die Administrateur kan van tyd tot tyd deur kennisgewing in die *Offisiële Koerant* in enige wyk enige grond insluit, wat aan sodanige wyk grens, maar nie 'n deel van enige wyk of enige gedeelte of gedeeltes van enige wyk of wyke, wat aan sodanige wyk grens, uitmaak nie. Die Administrateur kan van tyd tot tyd deur kennisgewing in die *Offisiële Koerant* enige wyk in twee of meer wyke verdeel.

(3) Hy oefen die bevoegdhede, aan hom ingevolge hierdie artikel verleen, nie uit nie behalwe op voorlegging van 'n petisie, geteken deur minstens vyf-en-twintig persone, wat in die voorgestelde wyk as kiesers vir die verkieping van lede van die Wetgewende Vergadering geregistreer is, waarin hy versoek word om suiks te doen, en eers nadat hy die raad van elke munisipaliteit, indien enige, in die voorgestelde wyk geraadpleeg het; en dan eers nadat hy sy voorneme om sodanige bevoegdhede uit te oefen eenmaal per week vir drie opeenvolgende weke in 'n koerant, wat in sodanige voorgestelde wyk in omloop is; aangekondig het en alle besware of teenpetisies, deur hom binne een maand na die datum van die laaste publikasie van sodanige aankondiging ontvang, in oorweging geneem het.

Woordbepaling.

Verstellings.

Verandering van bestaande hospitaaldistrikte in hospitaalwyke.

Instelling van nuwe hospitaalwyke.

HOSPITAL BOARDS.

Establishment of boards.

5. (1) There shall be constituted a hospital board for every area.

(2) Every such board shall be a body corporate by the name of "The (naming the town or the magisterial district in which the main hospital is situated or is intended to be erected) Hospital Board" with perpetual succession and a common seal, with power to alter and change the same from time to time, and shall by such name be capable in law of suing and being sued, of purchasing, holding and alienating movable and immovable property, and of doing and performing such other acts and things as bodies corporate may by law do and perform, subject to the provisions of this Ordinance.

(3) A board in respect of every area constituted by section *three* shall be deemed to come into existence as a body corporate on the commencement of this Ordinance, and in the case of a new area a board in respect of that area shall be deemed to come into existence upon the constitution of the area.

(4) Every board may sue and be sued in the name of the chairman for the time being.

6. (1) Every board shall consist of six members.

(2) One member thereof shall be appointed by the council of the municipality in the area: Provided that when there is no municipality in the area, the Administrator shall appoint such member. If there are more municipalities than one in the area, the councils of such municipalities shall jointly elect such member.

(3) Two members of the board shall be elected by the contributors present at the annual general meeting of contributors held in terms of section *nine* and registered as contributors in the Contributors' Register, from amongst the number of contributors so registered: Provided that unless the persons so registered as contributors have contributed not less than one hundred and fifty pounds (or such less amount as the Administrator may in any special case determine) to the funds of the board during the preceding financial year, no member shall be elected by the contributors. At the first election of members of a board which, in terms of section *fifteen*, is deemed to be the successor of an old board, regard shall be had to the preceding calendar year, for the purpose of determining whether a sufficient amount has been contributed by the contributors.

(4) One member of the board shall be elected by the Honorary Visiting Medical Officer or Officers (if there be more than one) of the area for which the board is constituted: Provided that where there are no Honorary Visiting Medical Officers in such area, the Administrator shall appoint such member, who, if possible, shall be a registered medical practitioner.

(5) Two other members of the board shall be appointed by the Administrator.

(6) If any persons or body entitled under the provisions of this section to elect or appoint a member has not elected or appointed such member before the end of May in any year, the Administrator shall appoint such member who shall be deemed to have been elected or appointed by such persons or body as the case may be.

7. (1) The member appointed by the council or councils of a municipality or municipalities shall hold office for a period of one year.

(2) The two members elected by contributors shall hold office for a period of two years, except that at the first election held after the commencement of this Ordinance, the member who secures the lower number of votes shall hold office for one year only so as to secure the retirement of one member annually.

(3) The member elected by the Honorary Visiting Medical Officer or Officers shall hold office for a period of one year.

(4) The two members appointed by the Administrator shall hold office for a period of two years, except that at the first appointment after the commencement of this Ordinance one shall be appointed for one year only so as to secure the retirement of one annually.

(5) Whenever insufficient funds have been contributed by contributors during any particular year to entitle them to elect such member or members as in terms of sub-section (3) of the last preceding section they are entitled to elect, the Administrator may appoint such member or members, but the latter shall hold office only up to the date of the next ensuing annual general meeting of contributors.

(6) The period from the date of establishment of a new board to the thirty-first day of March in the next following year shall, for the purposes of this section—

(a) be counted as a whole year where the board was established prior to the thirtieth day of September in any year;

(b) not be counted as a portion of its term of office where the board was established on or after the thirtieth day of September in any year.

Appointment and election of members.

For what period members hold office.

HOSPITAALRADE.

5. (1) Vir elke wyk word 'n hospitaalraad ingestel.

Instelling van raade.

(2) Elke sodanige raad is 'n geïnkorporeerde liggaam onder die naam van "Die (hier moet die naam van die stad of die magistraatsdistrik, waarin die hoofhospitaal geleë is of die voorneme bestaan om een op te rig, genoem word) Hospitaalraad" met ewigduurende regsopvolging en 'n korporasieseeël, met bevoegdheid om sodanige van tyd tot tyd te verander, en kan onder sodanige naam regsdinge aanhangig maak of regtens aangespreek word en roerende en onroerende goedere koop, besit en verryem en sodanige ander handeling en dinge doen en verrig, wat geïnkorporeerde liggame volgens wet kan doen en verrig, onderworpe aan die voorsienings van hierdie Ordonnansie.

(3) 'n Raad, ten opsigte van elke wyk, ingestel deur artikel *drie* word beskou by die inwerkingtreding van hierdie Ordonnansie as 'n geïnkorporeerde liggaam tot bestaan te kom, en ingeval van 'n nuwe wyk word 'n raad ten opsigte van daardie wyk geag tot bestaan te kom na instelling van die wyk.

(4) Elke raad kan in die naam van die diensdoende Voorsitter dagvaar of gedagvaar word.

6. (1) Elke raad bestaan uit ses lede.

Anstelling en verkiesing van lede.

(2) Een lid daarvan word deur die raad van die munisipaliteit in die wyk aangestel; Met die verstande dat wanneer daar geen munisipaliteit in die wyk bestaan nie, die Administrateur sodanige lid aanstel. As daar meer as een munisipaliteit in die wyk bestaan, moet die raade van sodanige munisipaliteite sodanige lid gemeenskaplik kies.

(3) Twee lede van die raad word deur die bydraers wat op die ingevolge artikel *nege* gehou jaarlikse algemene vergadering van bydraers, wat as bydraers geregistreer in in die Register van Bydraers, teenwoordig is, van uit hul midde gekies mits, tensy die aldus as bydraers geregistreerde persone tenninste eenhonderd-en-veertig pond per jaar (of sodanige kleiner bedrag soos die Administrateur in enige besonder geval mag vasstel) tot die fondse van die raad gedurende die afgelope boekjaar bygedra het, geen lid deur die bydraers gekies word nie. By die eerste verkiesing van lede van 'n raad wat ingevolge artikel *vyftien* as die opvolger van 'n ou raad beskou word, moet die voorafgaande kalenderjaar in aanmerking geneem word vir die doel van vasstelling of 'n voldoende bedrag deur die bydraers bygedra is.

(4) Een lid van die raad moet deur die Honorêre Diensdoende Geneesheer of Geneesheer (as daar meer as een is) van die wyk ten opsigte waarvan die raad ingestel is, gekies word: Mits waar daar geen Honorêre Diensdoende Geneesheer of Geneesheer in sodanige wyk is nie, die Administrateur sodanige lid, wat, indien moontlik, 'n geregistreerde geneesheer moet wees, aanstel.

(5) Twee ander lede van die raad word deur die Administrateur aangestel.

(6) Indien enige persone of liggaam, wat ingevolge die voorsienings van hierdie artikel geregtig is om 'n lid te kies of te benoem, nie sodanige lid voor die end van Mei in enige jaar verkies of benoem het nie, moet die Administrateur sodanige lid benoem, en hy word geag deur sodanige persone of liggaam, al na gelang, verkies of benoem te wees.

7. (1) Die lid deur die raad of raade van 'n munisipaliteit of munisipaliteite aangestel, beklee sy amp vir 'n tydperk van een jaar.

Vir watter tydperk lede hul ampte beklee.

(2) Die twee lede, gekies deur bydraers, beklee hul ampte vir 'n tydperk van twee jaar, met die uitsondering dat by die eerste verkiesing na die inwerkingtreding van hierdie Ordonnansie die lid wat die laagste getal stemme ontvang het sy amp net vir een jaar beklee, sodat die jaarlikse aftreding van een lid bewerkstellig kan word.

(3) Die lid gekies deur die Honorêre Diensdoende Geneesheer of Geneesheer beklee sy amp vir 'n tydperk van een jaar.

(4) Die twee lede deur die Administrateur aangestel, beklee hul ampte vir 'n tydperk van twee jaar, behalwe dat by die eerste verkiesing na die inwerkingtreding van hierdie Ordonnansie een vir alleen een jaar aangestel word om die jaarlikse aftreding van een lid te verseker.

(5) Wanneer geen voldoende fondse deur bydraers in enige besonder jaar bygedra is nie om hulle te geregtig om sodanige lid of lede te verkies, soos hulle ingevolge onderartikel (3) van die laasvooraangaande artikel geregtig is om te kies, kan die Administrateur sodanige lid of lede aanstel, maar laasgenoemdes beklee hul amp alleen tot die datum van die eersvolgende jaarlikse algemene vergadering van bydraers.

(6) Die tydperk vanaf die datum van instelling van 'n nuwe raad tot die een-en-dertigste dag van Maart in die eersvolgende jaar word, vir die doeleindes van hierdie artikel,—

(a) as 'n volle jaar gereken ingeval die raad voor die dertigste dag van September in enige jaar ingestel is;

(b) nie as 'n deel van sy ampstyd gereken nie ingeval die raad op of na die dertigste September in enige jaar ingestel is.

Administrator may appoint provisional board.

8. In the case of an area newly constituted after the commencement of this Ordinance or in the event of a board being dissolved or all the members of a board ceasing to hold office in terms of this Ordinance, the Administrator may, if he deem it necessary or expedient so to do, appoint a provisional board to carry out the duties of a board under this Ordinance until the appointment and election of a board as in this Ordinance provided.

Annual general meeting of contributors.

9. (1) There shall be an annual general meeting of contributors in each area in the month of May in each year for the purpose of receiving the annual reports upon the working of the institutions and of electing elective members of the board.

(2) The first meeting of contributors under this Ordinance in any area shall be held at a time and at a place and under a chairman to be appointed by the Administrator, but every subsequent meeting shall be held at a time and at a place appointed by the board and shall be presided over by the chairman thereof.

(3) Every such date shall be publicly notified.

(4) The election of elective members under this Ordinance shall take place in accordance with regulations to be framed by the Administrator and published in the *Gazette*.

Members to be capable of re-appointment or re-election.

10. Every member shall, unless his office sooner becomes vacant in terms of section *twelve*, hold office until the election or appointment of his successor in accordance with this Ordinance, but shall be capable of re-appointment or re-election.

Disqualification of members.

11. (1) The following persons shall be incapable of being elected or appointed as members of a board:—

- (a) a minor;
- (b) a person of unsound mind;
- (c) a person whose estate is under assignment in trust for his creditors;
- (d) an insolvent who has not obtained his rehabilitation;
- (e) a person convicted and sentenced for any offence to imprisonment without the option of a fine, unless he has received a free pardon or has served his sentence;
- (f) a person who holds any office or place of profit under or in the gift of the board;
- (g) a person who is concerned or interested (otherwise than as a member of an incorporated company) in any contract made by the board, if the payment made or to be made in respect of any such contract exceeds fifteen pounds in the case of a single contract or thirty pounds altogether in any financial year in the case of two or more contracts: Provided, however, that purchases made over the counter of a retail business in the ordinary course of business shall not constitute a disqualification under this section: Provided also that an interest in any lease, granted or agreed to be granted to or by the board, or in any loan raised by the board, whether on security or otherwise, shall not constitute a disqualification under this section: Provided also that if it appears to the Administrator on application by the board, that any contract granted or to be granted by the board is desirable in the public interests, he may relax the provisions of this section in respect of such contract, and thereupon the granting of such contract shall not constitute a disqualification under this section.

(2) Subject to the provisions of this section, any person whether male or female may be elected or appointed as a member of a board.

When the office of a member becomes vacant.

12. The office of any member of a board shall become vacant if he—

- (a) dies; or
- (b) resigns his office by writing under his hand delivered to the secretary or the chairman of the board; or
- (c) becomes insolvent, or makes an assignment of his estate for the benefit of his creditors; or
- (d) becomes of unsound mind; or
- (e) is convicted and sentenced for any offence to imprisonment without the option of a fine; or
- (f) is absent without leave from four consecutive ordinary meetings of the board; or
- (g) holds any office or place of profit under or in the gift of the board; or
- (h) is concerned or interested (otherwise than as a member of an incorporated company) in any payment for goods supplied or for services rendered to the board, or in any contract made by the board, if the amount involved in respect of any such payment or contract exceeds fifteen pounds in the case of a single payment

8. Ingeval van 'n wyk wat nuut ingestel is na die inwerkingtreding van hierdie Ordonnansie of ingeval van 'n raad wat ontbind word, of ingeval al die lede van 'n raad ophou om hul ampte ooreenkomstig hierdie Ordonnansie te beklee, kan die Administrateur, as hy dit nodig of raadzaam ag om sulks te doen, 'n voorlopige raad aanstel om die pligte van 'n raad kragtens hierdie Ordonnansie uit te voer totdat 'n raad aangestel en gekies is, soos deur hierdie Ordonnansie bepaal.

Administrateur kan voorlopige raad aanstel.

9. (1) In Meimaand van elke jaar vind 'n jaarlikse algemene vergadering van bydraers in elke wyk plaas, vir die doel om die jaarverslae oor die wyse waarop die inrigtings gedrywe is, te ontvang en om die kiesbare lede van die raad te kies.

Jaarlikse algemene vergadering van bydraers.

(2) Die eerste vergadering van bydraers ingevolge hierdie Ordonnansie in enige wyk word op enige tyd en op 'n plek en onder 'n voorsitter, bepaal deur die Administrateur, gehou, maar elke volgende vergadering word op 'n deur die raad bepaalde tyd en plek gehou en vind plaas onder die voorsitterskap van die voorsitter daarvan.

(3) Elke sodanige datum word publiek bekendgemaak.

(4) Die verkiesing van kiesbare lede ingevolge hierdie Ordonnansie vind plaas ooreenkomstig regulasies, wat deur die Administrateur opgetrek en in die *Offisiële Koerant* gepubliseer moet word.

10. Elke lid moet, tensy sy amp eerder vakant word ooreenkomstig artikel *twaalf*, sy amp beklee totdat sy opvolger ooreenkomstig hierdie Ordonnansie verkies of aangestel is, maar kan weer aangestel of herkies word.

Lede kan weer aangestel of herkies word.

11. (1) Die volgende persone is nie bevoeg om as lede van 'n raad verkies of aangestel te word nie:—

Onbevoegdheid van lede.

- (a) 'n minderjarige;
- (b) 'n persoon, wat nie by sy verstand is nie;
- (c) 'n persoon wie se boedel afgestaan is in bewaring van sy krediteure;
- (d) 'n insolvent wat nie gerehabiliteer is nie;
- (e) 'n persoon, wat skuldig bevind is aan enige oortreding en tot gevangenisstraf sonder die keuse van 'n boete veroordeel is, tensy hy volkome begenadig is of sy straf gedien het;
- (f) 'n persoon wat enige amp of winsgewende betrekking onder of ter begewing van die raad beklee;
- (g) 'n persoon wat (behalwe as 'n lid van 'n geïnkorporeerde liggaam) aan enige kontrak, aangegaan deur die raad, betrokke is of belang daarin het, as die betaling wat ten opsigte daarvan geskied het of moet geskied meer as vyftien pond is ingeval van 'n enkele kontrak of meer as dertig pond in enige boekjaar in die geheel is, ingeval van twee of meer kontrakte; Mits egter, die inkopings wat oor die toonbank van 'n kleinhandelbesigheid in die gewone loop van besigheid gedoen is, nie 'n onbevoegdheid kragtens hierdie artikel daarstel nie: Mits ook 'n belang in enige huurkontrak, deur die raad verleen of ooreengekom om verleen te word, of in enige lening, deur die raad opgeneem, hetsy op sekuriteit of andersins, nie 'n onbevoegdheid kragtens hierdie artikel daarstel nie; Mits ook, as dit op aansoek deur die raad aan die Administrateur blyk dat enige kontrak, deur die raad aangegaan of wat deur die raad aangegaan sal word, in die publieke belang raadsaam is, hy ten opsigte van sodanige kontrak die bepaling van hierdie artikel kan matig, en daarna stel die aangaan van sodanige kontrak nie, 'n onbevoegdheid ingevolge hierdie artikel daar nie.

(2) Onderhewig aan die voorsienings van hierdie artikel, kan enige persoon, vroulik of manlik, as 'n lid van die raad verkies of aangestel word.

12. Die amp van enige lid van 'n raad word vakant as hy:—

Wanneer die amp van 'n lid vakant word.

- (a) sterwe; of
- (b) sy betrekking in geskifte onder sy handtekening, aan die sekretaris of die voorsitter van die raad afgelewer, bedank; of
- (c) insolvent word of sy boedel ten behoeve van sy skuldeisers afstaan; of
- (d) kranksinnig word; of
- (e) skuldigbevind word en weens enige oortreding, sonder die keuse van 'n boete, veroordeel word; of
- (f) sonder verlof van vier opeenvolgende gewone vergaderings van die raad afwesig is; of
- (g) enige amp of winsgewende betrekking onder of ter begewing van die raad beklee; of
- (h) (behalwe as 'n lid van 'n geïnkorporeerde liggaam) betrokke is of belang het in enige betaling vir goedere aan die raad gelewer of dienste aan die raad bewys, of in enige kontrak deur die raad aangegaan, as die bedrag, in enige sodanige betaling of kontrak betrokke, meer as vyftien pond is ingeval van 'n enkele betaling of kontrak of dertig pond in enige boekjaar in die geheel ingeval van twee of meer betalings of

or contract or thirty pounds altogether in any financial year in the case of two or more payments or contracts: Provided, however, that purchases made over the counter of a retail business shall not constitute a forfeiture of office under this section: Provided also that an interest in any lease granted or agreed to be granted to or by the board, or in any loan raised by the board, whether on security or otherwise, shall not constitute a cause of forfeiture of office under this section: Provided also that if it appears to the Administrator on application by the board, that any intended purchase of goods supplied or payment for services to be rendered or that any contract to be granted would be desirable in the public interests, he may relax the provisions of this section in respect of such purchase, payment or contract, and thereupon the making of such purchase or payment or the granting of such contract shall not constitute a cause for forfeiture of office under this section.

The filling of casual vacancies.

13. (1) When a member of a board vacates his office on the board through the operation of the last preceding section, the council or councils of the municipality or municipalities, the Honorary Visiting Medical Officer or Officers, or the Administrator (as the case may be, according to the original appointment of such member) shall appoint some qualified person in his place.

(2) When a member elected by contributors so vacates his office, the board shall at its next meeting fill the vacancy from amongst the contributors.

(3) If the vacancy is not filled by appointment or election, as the case may be, within two months after a member has vacated his office, the Administrator may make the required appointment.

(4) A member appointed in terms of this section to fill a casual vacancy shall hold office only for the unexpired term of office of his predecessor.

Manner of appointment or election not to affect acts of boards.

14. The appointment or election of members of a board and the validity or legality of acts done by a board shall not be affected by any error or defect in the election or appointment of any member of the board, or by the fact that the full number of members has not been elected or appointed or by the fact that any person acting so as a member of the board is disqualified or has vacated his seat.

Dissolution of hospital boards constituted under laws repealed.

15. Every board constituted at the commencement of this Ordinance for an area which prior to such commencement was a hospital district under the control of an old board including every board constituted for a hospital district the constitution of which is ratified by section *sixty-eight* shall be deemed for all purposes to be the successor of the old board, and such old board shall be dissolved. The members of the old board shall hold office as members of the new board until the appointment or election of members takes place.

Property of hospital boards constituted under laws repealed to vest in boards constituted under this Ordinance.

16. (1) Upon the commencement of this Ordinance, all movable and immovable property of every description vested in any old board shall without conveyance or assignment vest in the board constituted for the same area by this Ordinance, and all contracts, rights, debts and liabilities of the old board shall become the contracts, rights, debts and liabilities respectively of the new board.

(2) Where any land or any estate or interest in land becomes by virtue of this Ordinance vested in a board without conveyance or assignment and an old board or any trustee appointed in connection with an old board is the registered owner of that land, estate, or interest, the Registrar of Deeds shall, at the request of the board, and on being satisfied of the title of that board, register that board as the owner of the said land, estate or interest in lieu of the said old board or trustee.

Board to have control of institutions.

17. A board shall have the control and management in accordance with this Ordinance of—

- (a) every institution under the control or management of an old board for the same area at the commencement of this Ordinance; and
- (b) every institution which is established by the board under the authority of this Ordinance.

Meetings of board.

18. (1) The first meeting of a board constituted under this Ordinance shall be held at such time and place as the Administrator appoints.

(2) The ordinary meetings of the board shall be held at least once a month at such times and places as the board from time to time appoints.

(3) The chairman of the board may at any time call a special meeting of the board.

(4) It shall be the duty of the chairman of the board, or, if there be no chairman, the secretary of the board, to call a special meeting of the board at any time when requested so to do by a requisition in writing under the hands of not less than two members of the board.

Appointment of chairman.

19. (1) At the first meeting of a board after the commencement of this Ordinance, or as soon thereafter as may be, the board shall elect one of its members to be the chairman thereof.

kontrakte: Mits egter inkopings, wat oor die toonbank van 'n kleinhandelbesigheid gedoen is, nie 'n verbeurdverklaring van amp kragtens hierdie artikel daarstel nie: Mits ook 'n belang in enige huurkontrak, deur die raad verleen of ooreengekom om verleen te word, of in enige lening deur die raad opgeneem, hetsy op sekuriteit of andersins, nie 'n oorsaak vir die verbeurdverklaring van 'n amp kragtens hierdie artikel daarstel nie: Mits ook as dit op aansoek van die raad aan die Administrateur blyk dat enige voorgestelde aankoop van gelewerde goedere of betaling vir dienste, wat hewys moet word, of dat enige kontrak, wat uitgegee moet word, in die publieke belang wenslik is, hy ten opsigte van sodanige aankoop, betaling of kontrak die bepaling van hierdie artikel kan matig, en daarna stel sodanige aankoop of betaling of die verlening van sodanige kontrak geen oorsaak van verbeurdverklaring van 'n amp kragtens hierdie artikel daar nie.

13. (1) Wanneer 'n lid van 'n raad uit sy amp op die raad weens die uitwerking van die laasvooraangaande artikel tree, moet die raad of rade van die munisipaliteit of munisipaliteite, die Honorêre Diensdoende Geneesheer of Geneesheer, of die Administrateur (na die geval mag wees volgens die oorspronklike aanstelling van sodanige lid) 'n bevoegde persoon in sy plek aanstel.

Vulling van toevallige vakatures.

(2) Wanneer 'n lid wat deur die bydraers gekies is, aldus uit sy amp tree, moet die raad op sy volgende vergadering die vakature van uit die bydraers aanvul.

(3) As die vakature nie deur aanstelling of verkiesing, al na gelang, binne twee maande nadat 'n lid uit sy amp getree het, gevul is nie, kan die Administrateur die nodige aanstelling maak.

(4) 'n Lid, wat ooreenkomstig hierdie artikel aangestel is om 'n toevallige vakature te vul, beklee sy amp alleen vir die onafgelope ampstyd van sy voorganger.

14. Die aanstelling of verkiesing van lede van 'n raad en die geldigheid of wettigheid van handeling deur 'n raad verrig, word nie deur enige fout of gebrek in die verkiesing of aanstelling van enige lid van die raad aangetas nie, of deur die feit dat die volle aantal lede nie verkies of aangestel is nie of deur die feit dat enige persoon wat as lid van die raad optree, onbevoeg is of uit sy amp getree het.

Wyse van aanstelling of verkiesing het geen uitwerking op verrigtings van rade nie.

15. Elke raad by die inwerkingtreding van hierdie Ordonnansie vir 'n wyk ingestel, wat voor sodanige inwerkingtreding 'n hospitaaldistrik onder beheer van 'n ou raad was, insluitende elke raad, ingestel vir 'n hospitaaldistrik, die instelling waarvan deur artikel *ag-en-sestig* bekragtig is, word vir alle doeleindes as die opvolger van die ou raad beskou en sodanige ou raad word ontbind. Die lede van die ou raad beklee hul ampte as lede van die nuwe raad totdat die aanstelling of verkiesing van lede plaasvind.

Ontbinding van rade, ingestel onder herroepe wette.

16. (1) By die inwerkingtreding van hierdie Ordonnansie, berus alle roerende en onroerende goedere van elke beskrywing, wat by enige ou hospitaalraad berus het, sonder transport of afstand by die raad, ingestel ten opsigte van dieselfde wyk deur hierdie Ordonnansie en word al die kontrakte, regte, skulde en verpligtings van die ou raad die kontrakte, regte, skulde en verpligtings, respektieflik, van die nuwe raad.

Eiendom van hospitaalrade ingestel ingevolge herroepe wette, berus in rade ingestel ingevolge hierdie Ordonnansie.

(2) Wanneer enige grond of enige boedel of belang in grond kragtens hierdie Ordonnansie sonder transport of oordrag onder berusting van 'n raad kom en 'n ou raad of enige kurator, in verband met 'n ou raad aangestel, die geregistreerde eienaar van daardie grond, boedel of belang is, moet die Registrateur van Aktes op aansoek van die raad en as hy oortuig is van die eiendomsreg van daardie raad, hom as die eienaar van vermelde grond, boedel of belang in die plek van die vermelde ou raad of kurator registreer.

17. 'n Raad het ooreenkomstig hierdie Ordonnansie die beheer oor en bestuur van—

Raad het beheer oor inrigtings.

- (a) elke inrigting onder die beheer of bestuur van 'n ou raad vir dieselfde wyke by die inwerkingtreding van hierdie Ordonnansie, en
- (b) elke inrigting wat deur die raad onder die gesag van hierdie Ordonnansie gestig word.

18. (1) Die eerste vergadering van 'n raad ingevolge hierdie Ordonnansie ingestel, word op sodanige tye en plekke gehou as die Administrateur bepaal.

Vergaderings van raad.

(2) Die gewone vergaderings van die raad moet minstens eenmaal per maand op sodanige tye en plekke as die raad van tyd tot tyd vasstel, gehou word.

(3) Die voorsitter van die raad kan ter enige tyd 'n spesiale vergadering van die raad byeenroep.

(4) Dit is die plig van die voorsitter van die raad of as daar geen voorsitter is nie, van die sekretaris van die raad, om ter enige tyd, wanneer daartoe versoek middels 'n versoekskrif geteken deur minstens twee lede van die raad, 'n spesiale vergadering van die raad te belê.

19. (1) By die eerste vergadering van 'n raad na die inwerkingtreding van hierdie Ordonnansie, of so spoedig moontlik daarna, moet die raad een van sy lede as voorsitter daarvan kies.

Aanstelling van voorsitter.

(2) During the month of June or as soon thereafter as may be in each year, every board shall elect one of its members to be chairman of the board.

(3) When the chairman of a board resigns his office by writing under his hand delivered to the secretary or in the absence of the secretary then to any member of the board, or ceases to be a member of the board, his office as chairman thereof shall become vacant, and the board shall so soon as may be thereafter, elect one of its members as chairman thereof.

(4) Every person elected as chairman of a board shall hold office until the election of his successor, unless his office sooner becomes vacant.

Chairman to preside at meetings.

20. (1) At every meeting of a board the chairman, if present, shall preside.

(2) If the chairman is absent from any meeting or if there is for the time being no chairman, the members present shall choose one of their number to act as chairman at that meeting, and the member so chosen shall have the same powers at that meeting as if he were the chairman of the board.

Method of deciding questions before board.

21. (1) Every question before the board shall be decided by the votes of a majority of the members present.

(2) The chairman shall have a deliberative vote, and in any case in which the votes are equal a casting vote also.

(3) No business shall be transacted at any meeting unless at least a quorum of members is present thereat during the whole time at which the business is transacted.

(4) A quorum shall consist of not less than three members of the board, including the chairman.

Meetings of board open to public.

22. All meetings of the board shall be open to the public unless during any meeting the board decides that any subject can be more conveniently and advantageously discussed in private, when it shall be competent for the board to resolve itself into committee and to exclude the public from the meeting, and any resolutions adopted by the board in committee shall have the same effect as if adopted by the board when not in committee.

Travelling expenses of members.

23. (1) A board may reimburse to every member the expenses not exceeding ten shillings per diem reasonably incurred and actually paid by him in going to or returning from any meeting of the board or of any committee thereof of which he is a member, or in making any official visit of inspection when appointed by the board or any committee thereof to make that inspection: Provided that no such expenses shall be payable unless the distance travelled on any such occasion exceeds five miles.

(2) Before any member is paid any money for travelling expenses under this section he shall sign a certificate to the effect that he has not been paid and is not entitled to be paid any sum in respect of the same travelling expenses by any other person or body and shall deliver that certificate to the secretary of the board.

Appointment of officers.

24. (1) A board may from time to time appoint a secretary to the board, a treasurer to the board, and, subject to the provisions of section *fifty-three*, such medical and other officers, matrons, nurses, attendants and servants as it deems necessary for the carrying on of any institution under the control of the board or otherwise in the execution of this Ordinance.

(2) A board may also, with the approval of the Administrator and subject to the provisions of section *fifty-one*, from time to time appoint such district nurses as it thinks fit for the purpose of attending sick persons elsewhere than in an institution.

(3) It shall be lawful for the Administrator or for the council of a municipality in any magisterial district which has not been included in an area to appoint a district nurse or district nurses for that district. Any such appointment by the council of a municipality shall be subject to the approval of the Administrator and on such terms and conditions as may be prescribed by him.

(4) There shall be provided by every board sufficient orderlies, ward-boys, native or coloured ward-maids, or native or coloured nurses to perform all menial duties in wards where native or coloured male patients are treated: Provided that nothing herein contained shall be deemed to prevent European nurses from being employed in such wards in supervising the work of such orderlies, ward-boys, ward-maids or nurses or from rendering necessary professional assistance to such patients.

(5) All persons so appointed shall be paid out of the revenues of the board such salaries, wages or other remuneration as the board thinks fit.

Administrator to be notified of certain appointments.

25. (1) No appointment of any manager or matron of any institution shall be made until the expiration of twelve days after the Administrator has been notified of the intention to make such an appointment, unless the Administrator has previously approved of such appointment.

(2) Gedurende Juniemaand, of so spoedig moontlik daarna, in elke jaar moet die raad een van sy lede as voorsitter van die raad kies.

(3) As die voorsitter van die raad sy skriftelike en deur hom getekende bedanking aan die sekretaris of, ingeval van die sekretaris se afwesigheid, aan enige lid van die raad voorhandig het of ophou om 'n lid van die raad te wees, word sy amp as voorsitter daarvan vakant en die raad moet so spoedig moontlik daarna een van sy lede as voorsitter daarvan kies.

(4) Tensy sy betrekking eerder vakant word, moet elke persoon, wat as voorsitter van 'n raad gekies is, sy amp beklee totdat sy opvolger gekies is.

20. (1) By elke vergadering van 'n raad moet die voorsitter, indien teenwoordig, die voorsitterstoel inneem.

Voorsitter moet voorsitterstoel op vergaderings inneem.

(2) As die voorsitter van enige vergadering afwesig is of as daar tydelik geen voorsitter is nie, moet die teenwoordige lede een van hulle kies om as voorsitter van daardie vergadering op te tree, en die aldus verkose persoon het dieselfde bevoegdhede op daardie vergadering asof hy die voorsitter van die raad was.

21. (1) Elke vraag voor die raad word deur die stemme van 'n meerderheid van die teenwoordige lede beslis.

Wyse van beslissing oor vrae voor die raad.

(2) Die voorsitter het 'n beraadslagende stem en in enige geval wanneer die stemme staak het hy ook 'n beslissende stem.

(3) Geen werksaamhede word op enige vergadering afgehandel nie tensy minstens 'n kworum van lede daarop gedurende die hele tyd wat die werksaamhede behandel word, teenwoordig is.

(4) 'n Kworum bestaan uit minstens drie lede van die raad insluitende die voorsitter.

22. Alle vergaderings van die raad is aan die publiek ope, tensy gedurende enige vergadering die raad besluit dat enige onderwerp meer gerieflik en voordelig privaat bespreek kan word, wanneer die raad dan bevoeg is om in komitee oor te gaan, en enige besluite deur die raad in komitee aangeneem, het dieselfde krag asof hulle deur die raad, wanneer nie in komitee nie, aangeneem was.

Vergaderings van raad ope vir publiek.

23. (1) 'n Raad kan aan elke lid die onkoste van hoogstens tien shillings per dag vergoed wat redelik deur hom behoort en werklik deur hom uitbetaal is by die gaan na of terugkeer van enige vergadering van die raad of van enige komitee daarvan, waarvan hy lid is, of by die doen van 'n amptelike inspeksiebesoek, wanneer hy deur die raad of enige komitee daarvan aangestel is om daardie inspeksie uit te voer: Mits geen sodanige onkoste betaalbaar is nie tensy die by enige sodanige geleentheid afgelegde afstand vyf myl te bowe gaan.

Reiskoste van lede.

(2) Voordat enige geld vir reiskoste aan enige lid ooreenkomstig hierdie artikel betaal word, moet hy 'n sertifikaat dienaangaande teken, dat hom ten opsigte van dieselfde reiskoste geen geld deur enige ander persoon of liggaam uitbetaal is nie nog dat hy tot so 'n uitbetaling geregtig is nie en daardie sertifikaat moet hy aan die sekretaris van die raad aflewer.

24. (1) 'n Raad kan van tyd tot tyd 'n sekretaris van die raad, 'n penningmeester van die raad, en onderhewig aan die voorsienings van artikel *drie-en-vyfzig*, sodanige geneeskundige en ander amptenare, matrones, verpleegsters, oppassers en bediendes aanstel, as hy nodig mag ag vir die bedryf van enige inrigting onder beheer van die raad of andersins vir die uitvoering van hierdie Ordonnansie.

Aanstelling van amptenare.

(2) 'n Raad kan ook, met die toestemming van die Administrateur en onderworpe aan die voorsienings van artikel *een-en-vyfzig*, van tyd tot tyd sodanige distriksverpleegsters aanstel, as hy mag goedvind, vir die doel om siekmense elders as in die inrigting op te pas.

(3) Dit is wettig vir die Administrateur of vir die raad van 'n munisipaliteit in enige magistratsdistrik, wat nie in 'n wyk bevat is nie, om 'n distriksverpleegster, of distriksverpleegsters vir daardie distrik aan te stel. Enige sodanige aanstelling deur die raad van 'n munisipaliteit is onderhewig aan die Administrateur se goedkeuring en onder sodanige bepalinge en voorwaardes, soos hy mag voorskrywe.

(4) Deur elke raad moet voldoende bediendes, hospitaalsaalknegte, natuurlike- of kleurlingsaalmiede, of natuurlike- of kleurling-verpleegsters verskaf word om alle laer werksaamhede in hospitaalsale te verrig, waar natuurlike- of kleurlingspasjente van manlike geslag behandel word: Mits geen bepaling hiervan geag word nie om te betel dat Europese verpleegsters in sodanige hospitaalsale aangestel word om toesig te hou oor die werk van sodanige bediendes, hospitaalsaalknegte of miede of verpleegsters of om die nodige professionele hulp aan sodanige pasjente te gee.

(5) Aan alle aldus aangestelde persone word uit die inkomste van die raad sodanige salarisse, lone of ander beloning betaal soos die raad mag goedvind.

25. (1) Geen aanstelling van enige bestuurder of matrone van enige inrigting mag gemaak word nie tot na verloop van twaalf dae nadat die Administrateur van die voorneme om so 'n aanstelling te maak in kennis gestel is, tensy die Administrateur vooraf sodanige aanstelling goedgekeur het.

Administrateur moet kennis gegee word van sekere aanstellings.

(2) The provisions of this section shall not apply in the case of acting appointments when any manager or matron is on leave or has resigned, and pending the filling of the vacancy.

Certain officers to be registered.

26. (1) No matron, sister, staff nurse, head-nurse, or charge-nurse shall hold office after the coming into operation of this Ordinance in connection with any institution unless registered as a trained nurse by the Medical Council of the Union of South Africa or in possession of a certificate of qualification granted by a recognised examining authority and approved of by the Administrator.

(2) No midwife shall hold office after the coming into operation of this Ordinance in connection with any institution unless registered as a certificated midwife by the Medical Council of the Union of South Africa or in possession of a certificate of qualification granted by a recognised examining authority and approved of by the Administrator.

Contracts.

27. All written contracts shall be signed by the secretary and every contract the value of the subject matter of which exceeds the sum of thirty pounds shall be in writing and shall be signed by the secretary and the chairman of the board.

Use of common seal.

28. The common seal of the board shall not be affixed to any document except at a meeting of the board, and the execution of any document so sealed shall be attested by two members of the board present at such meeting.

Proceedings of board to be governed by regulation.

29. (1) The proceedings of a board shall be governed by such regulations as are in force at the time.

(2) Proper minutes shall be kept of all such proceedings.

FINANCE.

Government subsidy.

30. (1) If during any financial year the Administrator is satisfied that a board has not sufficient funds to carry out the administration of this Ordinance during the year, he may by way of subsidy pay to such board out of the Territory Revenue Fund an amount not exceeding three-fifths of the total amount which such board has been authorised to expend on maintenance within its approved estimates for such year: Provided that where an institution or institutions under the control of such board have endowments for maintenance purposes the income of such endowments for that year shall be first deducted from the total authorised expenditure of the board on maintenance for the year and the balance remaining met on the above basis.

(2) The subsidy payable to the board shall be payable three-monthly in advance and in such manner and on such conditions as the Administrator may determine: Provided that such three-monthly payment together with any cash balance in the hands of the board at the close of the last preceding three months, shall not exceed the estimated expenditure of the board for the three months in respect of which the subsidy is payable.

(3) Every claim made by a board for any sum payable to it by way of subsidy shall be supported by a statutory declaration made by the chairman of such board verifying a statement of all material particulars.

Municipalities authorised to make voluntary contributions.

31. Notwithstanding anything in any law to the contrary it shall be lawful for any municipality to make such voluntary contributions to the funds of any board as it may deem expedient.

How deficits may be met.

32. (1) If in any year there is a deficit the Administrator shall, if he is satisfied that the board has reasonably endeavoured to collect voluntary contributions from the public and to recover fees from patients, and that having regard to the circumstances of the area and the class of patients mostly furnished with relief by the board, a reasonable amount has been received by the board from such sources of revenue, authorise the payment of such deficit in whole or in part as he may deem advisable, out of the Territory Revenue Fund and out of the funds of a municipality or municipalities, if any, in such area. The Administrator shall not authorise more than three-fifths of the deficit to be paid out of the Territory Revenue Fund, or more than two-fifths out of the funds of such municipality or municipalities. If there be no such municipality or municipalities, the whole of the deficit or such part thereof as the Administrator may deem advisable, shall be paid out of the Territory Revenue Fund: Provided that where there is more than one municipality in such area, the amount which each municipality is ordered to pay shall be in proportion to the value of its rateable property.

(2) When the Administrator makes an order upon any municipality to pay a share of any deficit such money shall be payable within thirty days of the receipt of such order and may be recovered by the board in any competent court. A duplicate of such order, duly certified by the Secretary for South West Africa, shall be *prima facie* evidence of the amount owing by the municipality.

Requests to vest in boards.

33. All bequests shall be vested in the board under whose control the institution or institutions, which have the bequests, are, and shall be appropriated and expended in any manner in which the bequests may be lawfully appropriated and expended, and not otherwise: Provided that if an area is at any time sub-divided any bequest shall be vested in the board for the area in which the institution which had the bequest is situate.

(2) Die voorsienings van hierdie artikel is nie van toepassing nie ingeval van waarnemende aanstellings wanneer enige bestuurder of matrone op verlof is of bedank het en die vakature nog gevul moet word.

26. (1) Na die inwerkingtreding van hierdie Ordonnansie mag geen matrone, suster, stafverpleegster, hoofverpleegster of verpleegster haar amp in verband met enige inrigting beklee nie tensy sy as 'n opgeleide verpleegster deur die Mediese Raad van die Unie van Suidafrika geregistreer is of in besit van 'n sertifikaat van bevoegdheid is wat deur 'n erkende eksaminerende outoriteit verleen is en deur die Administrateur goedgekeur is.

Sekere beamptes moet geregistreer word.

(2) Geen vroedvrou mag na die inwerkingtreding van hierdie Ordonnansie haar amp in verband met enige inrigting beklee nie, tensy sy as gesertifiseerde vroedvrou deur die Mediese Raad van die Unie van Suidafrika geregistreer is of in besit van 'n sertifikaat van bekwaamheid is, wat deur 'n erkende eksaminerende gesag uitgereik en deur die Administrateur goedgekeur is.

27. Alle skriftelike kontrakte moet deur die sekretaris geteken word en elke kontrak waarvan die waarde van die onderwerp meer as die som van dertig pond bedra moet in geskifte wees en deur die sekretaris en die voorsitter van die raad geteken word.

Kontrakte.

28. Die korporasieseël van die raad mag nie aan enige dokument geheg word nie, behalwe op 'n vergadering van die raad, en die voltrekking van enige aldus geseëde dokument moet deur twee lede van die raad, teenwoordig op sodanige vergadering, as getuies onderteken word.

Gebruik van korporasieseël.

29. (1) Die verrigtings van 'n raad is onderhewig aan sodanige regulasies wat op die betrokke tydperk van krag is.

Verrigtings van raad onderhewig aan regulasies.

(2) Behoorlike notule moet van alle sodanige verrigtings gehou word.

FINANSIES.

30. (1) As die Administrateur oortuig is dat 'n raad gedurende enige boekjaar nie voldoende fondse het om die administrasie van hierdie Ordonnansie gedurende die jaar uit te voer nie, kan hy aan sodanige raad uit die inkomstefonds van die Gebied 'n bedrag by wyse van subsidie uitbetaal, wat drie-vyftes van die totale bedrag, wat sodanige raad gemagtig is om ten opsigte van onderhoud volgens sy goedgekeurde begroting vir sodanige jaar uit te gee, nie te bowe gaan nie; Met die verstande dat wanneer 'n inrigting of inrigtings onder die beheer van sodanige raad skenkings vir onderhoudsdoeleindes besit, die inkomste uit sodanige skenking vir daardie jaar eers van die totale gemagtigde uitgawes van die raad ten opsigte van onderhoud vir die jaar afgetrek moet word en die balans dan op bovermelde basis gedek sal word.

Regeringssubsidie.

(2) Die subsidie betaalbaar aan die raad moet drie-maandeliks vooruitbetaal word en dit op sodanige wyse en onder sodanige voorwaardes as die Administrateur mag bepaal: Mits sodanige driemaandelikse betaling, saam met enige kontantbalans, in hande van die raad by die end van die laasvoorafgaande drie maande, nie die geraamde uitgawes van die raad vir die drie maande ten opsigte waarvan die subsidie betaalbaar is, oorskry nie.

(3) Elke vordering deur 'n raad vir enige bedrag, aan hom betaalbaar by wyse van subsidie, gemaak, moet gestaat wees deur 'n wetlike verklaring deur die voorsitter van sodanige raad, wat 'n staat van alle wesenlike besonderhede bevestig.

31. Nietenstaande enige teenstrydige bepaling in enige wet, is dit vir enige munisipaliteit wettig om sodanige vrywillige bydraes tot die fondse van enige raad te maak, as hy raadsaam ag.

Munisipaliteite gemagtig om vrywillige bydraes te gee.

32. (1) As daar in enige jaar 'n tekort voorkom, moet die Administrateur, as hy oortuig is dat die raad redelike pogings gemaak het om vrywillige bydraes van die publiek te verkry en om fooie van pasjente in te vorder, en as, met inagneming van die omstandighede in die wyk en die klas van pasjente, aan wie deur die raad meesal onderstand verleen word, 'n redelike bedrag deur die raad uit sodanige bronne van inkomste ontvang is, die betaling van of die gehele, of sodanige gedeelte van sodanige tekort, as hy mag raadsaam ag, uit die inkomstefonds van die Gebied en uit die fondse van 'n munisipaliteit of van munisipaliteite, indien enige, in sodanige wyk, gelas. Die Administrateur mag nie die betaling van meer as drie-vyftes van die tekort uit die inkomstefonds van die Gebied of meer as tweevyftes uit die fondse van sodanige munisipaliteit of munisipaliteite magtig nie. Ingeval daar geen sodanige munisipaliteit of munisipaliteite is nie, dan word die gehele tekort of sodanige gedeelte daarvan, as die Administrateur raadsaam mag ag, uit die Inkomstefonds van die Gebied betaal: Mits ingeval daar meer as een munisipaliteit in sodanige wyk bestaan, die bedrag, wat elke munisipaliteit beveel word om te betaal, in verhouding met die waarde van sy belasbaar eiendom moet wees.

Hoe tekorte gedek mag word.

(2) Wanneer die Administrateur enige munisipaliteit beveel om 'n gedeelte van enige tekort te betaal, is sodanige geld binne dertig dae na ontvangs van sodanige bevel betaalbaar en kan deur die raad in enige bevoegde hof verhaal word. 'n Duplikaat van sodanige bevel, behoorlik deur die Sekretaris vir Suidwes-Afrika gesertifiseer, is *prima facie* bewys van die bedrag deur die Munisipaliteit verskuldig.

33. Alle legatate berus by die raad onder wie se beheer die inrigting of inrigtings is, ten gunste waarvan die legatate is, en moet op enige wyse toegeëien en uitgegee word, waarop die legatate wettiglik toegeëien en uitgegee mag word, en op geen ander wyse nie: Met die verstande, dat ingeval 'n wyk ter enige tyd onderverdeel word, enige legatate by die raad vir die wyk bly berus waarin die inrigting, wat die legatate besit het, geleë is.

Legatate berus by rade.

Preparation of estimates.

34. (1) The financial year of a board shall run from the first day of April to the thirty-first day of March next ensuing.

(2) Every board shall in the month of December each year frame estimates of revenue and expenditure for the ensuing financial year and shall forward a copy thereof to the Administrator and to the town clerk of every municipality in its area.

(3) The Administrator may approve of such estimates or otherwise, and if the Administrator is of opinion that there are reasonable grounds for considering such estimates excessive he may direct an enquiry to be made by the Medical Inspector and the Lay Inspector or by one or other of them or by any other competent person who shall report to him thereon.

(4) The Administrator after taking into consideration such report shall decide thereon and, if he considers such estimates to be excessive he shall notify the board thereof, and, if the board does not thereupon make an amended estimate in accordance with his decision, he may if he deems fit so to do reduce the subsidy payable under this Ordinance or in case of a deficit refuse to issue his authority for the payment of the whole or any portion thereof.

(5) The expenditure of a board during any year shall, except as may be sanctioned by the Administrator, be limited in accordance with the provision in the approved estimates for that year.

PROPERTY OF BOARDS.

Pending investment money to be paid into bank.

35. All moneys belonging to a board shall, pending investment or application thereof in accordance with this Ordinance, be paid into such bank as the board from time to time determines, and shall be paid thereout only by cheques signed by the secretary of the board and countersigned by one member authorised by the board to sign cheques on its behalf.

How charges for relief are recoverable.

36. (1) The charges for the relief granted by or at the expense of a board to any person shall constitute a debt due by that person to the board, and may be recovered by action in any court of competent jurisdiction.

(2) The charges for the relief granted by or at the expense of a board to a married woman or a minor shall, without excluding the liability at common law, if any, of the person so relieved, constitute a debt due to the board by the husband of the married woman, or the father, mother or guardian of the minor, as the case may be, and may be recovered by action in any court of competent jurisdiction.

The amount of a charge to be agreed upon.

37. The charges recoverable, as in the last preceding section mentioned, shall be the sum (if any) agreed upon between the board and the person liable, and in the absence of any such agreement shall be such sum as the court in which any action for the recovery thereof is brought thinks reasonable, having regard to the means of the defendant and the circumstances of the case.

Appointment of collectors of voluntary contributions.

38. A board may appoint such persons as it thinks fit for the purpose of collecting voluntary contributions and donations from the public for the purpose of the establishment or maintenance of any institution, or for any other special purpose within the powers of the board or for the general purposes of the administration of this Ordinance by the board.

How moneys collected shall be applied.

39. All moneys so collected by a board shall be applied for the purpose for which it was collected and for no other purpose.

Board may accept property in trust and invest it.

40. A board may accept any money, land or other property, by way of bequest, devise or gift, in trust for the purposes of any existing or future institution under the control of the board, or in trust for any purpose to which the board can lawfully apply its own property.

How income shall be appropriated.

41. All money, land and other property acceptable by a board in trust under the authority of the last preceding section, and all income derived therefrom, shall be appropriated and dealt with by the board for the purposes of the trust and in accordance with the terms thereof, so far as those purposes and terms are, in the opinion of the Administrator, consistent with this Ordinance.

Application of trust money.

42. When any money is received by a board by way of bequest or gift in trust for the purposes of any institution, all such money shall, save so far as it is otherwise provided by the terms of the will or gift, be applied in such manner as the board thinks fit, in or towards the permanent improvement of the institution or the extension of the objects for which the institution is established or shall be invested by the board, and the income of such investments shall be appropriated and used for the purposes of that institution.

34. (1) Die boekjaar van 'n raad loop van die eerste dag van April tot die een-en-dertigste dag van Maart daaropvolgende. Opstel van begroting.

(2) In Desembermaand van elke jaar moet elke raad 'n begroting van inkomste en uitgawes vir die volgende boekjaar opstel en 'n kopie daarvan aan die Administrateur en aan die stadsclerk van elke munisipaliteit in sy wyk stuur.

(3) Die Administrateur kan sodanige begroting goedkeur of andersins doen en, as die Administrateur van mening is dat daar redelike gronde bestaan om sodanige begroting buitensporig te beskou, kan hy gelas dat 'n ondersoek deur die Geneeskundige Inspekteur en die Leekinspekteur of deur die een of ander van hulle of deur enige ander bevoegde persoon ingestel word en die inspekterende persoon moet aan hom verslag doen.

(4) Na oorweging van sodanige verslag moet die Administrateur daaroor beslis en as hy sodanige begroting as buitensporig beskou, moet hy die raad daarvan in kennis stel en as die raad dan nie 'n gewysigde begroting ooreenkomstig sy beslissing maak nie, kan hy, as hy dit goedvind om dit te doen, die subsidie, wat ingevolge hierdie Ordonnansie betaalbaar is, verminder of ingeval van 'n tekort kan hy weier om sy magtiging vir die betaling van die gehele tekort of van 'n gedeelte daarvan te gee.

(5) Behalwe soos deur die Administrateur gemagtig mag word, is die uitgawes van 'n raad gedurende enige jaar ooreenkomstig die voorsiening, in sy goedgekeurde begroting vir daardie jaar gemaak, beperk.

EIENDOM VAN RADE.

35. Alle gelde wat aan 'n raad behoort, moet, hangende belegging of besteding daarvan ooreenkomstig hierdie Ordonnansie, in sodanige bank inbetaal word, soos die raad van tyd tot tyd mag bepaal, en moet daaruit slegs uitbetaal word middels tjeks geteken deur die sekretaris van die raad, en mede-onderteken deur een lid, wat deur die raad gemagtig is om tjeks in sy naam te teken.

Hangende belegging moet geld in bank inbetaal word.

36. (1) Die koste van die onderstand deur of op rekening van 'n raad aan enige persoon verleen, stel 'n skuld daar wat deur daardie persoon aan die raad verskuldig is en kan deur aksie in enige hof met regsbevoegdheid verhaal word.

Invordering van koste van onderstand.

(2) Die koste van die onderstand deur of op rekening van 'n raad aan enige getroude vrou of 'n minderjarige verleen, stel, sonder enige aanspreeklikheid van die aldus geholpe persoon ingevolge die gemenerereg, indien enige, uit te sluit, 'n skuld daar wat deur die eggenoot van die getroude vrou of die vader, moeder of voog van die minderjarige, al na gelang, aan die raad verskuldig is, en kan deur aksie in enige hof met regsbevoegdheid verhaal word.

37. Die verhaalbare koste, soos in die laasvooraangaande artikel vermeld, is die bedrag (indien enige) tussen die raad en die aanspreeklike persoon ooreengekom en by afwesigheid van enige sodanige ooreenkoms is dit sodanige bedrag as die hof, waarin enige geding vir die verhaal daarvan aanhangig gemaak word, redelik ag met inagneming van die omstandighede van die verweerder en die omstandighede van die geval.

Oor die bedrag van die koste moet ooreenkoms bestaan.

38. 'n Raad kan sodanige persone aanstel as hy geskik mag ag vir die doel om vrywillige bydraes en skenkings van die publiek vir die doeleindes van die instelling of onderhoud van enige inrigting te ontvang of vir enige ander besonder doel binne die bevoegdheids van die raad of vir die algemene doeleindes van die administrasie van hierdie Ordonnansie deur die raad.

Aanstelling van ontvangers van vrywillige bydraes.

39. Alle gelde aldus deur 'n raad ontvang moet vir die doel gebruik word waarvoor hulle gekollekteer is en vir geen ander doel nie.

Hoe ontvangte gelde bestee moet word.

40. 'n Raad mag enige geld, grond of ander eiendom, by wyse van legaat, erfmaking of geskenk vir die doeleindes van enige bestaande of toekomstige inrigting onder beheer van die raad of vir enige doel, waarvoor die raad sy eie eiendom wettiglik kan gebruik, in bewaring neem.

Raad mag eiendom in bewaring neem en belê.

41. Alle geld, grond en ander eiendom, wat deur 'n raad uit hoofde van die laasvooraangaande artikel in bewaring geneem kan word, en alle inkomste daaruit, word deur die raad toegeëien en daarvoor beskik vir die doeleindes van die bewaring en ooreenkomstig die voorwaardes daarvan, vir sover daardie doeleindes en voorwaardes, na mening van die Administrateur, bestaanbaar is met hierdie Ordonnansie.

Hoe inkomste toegeëien moet word.

42. Wanneer enige geld deur 'n raad by wyse van legaat of geskenk vir die doeleindes van enige inrigting ter bewaring ontvang is, moet alle sodanige geld, behalwe vir sover die voorwaardes van die testament of die skenking andersins voorsien, op sodanige wyse aangewend word as die raad goedvind aan of vir die duursame verbetering van die inrigting of die uitbreiding van die doeleindes waarvoor die inrigting ingestel is of moet deur die raad belê word, en die inkomste van sodanige beleggings moet toegeëien word en vir die doeleindes van daardie inrigting gebruik word.

Aanwending van toevertroude geld.

Board may borrow money.

43. For the purpose of erecting buildings, or making additions or alterations to buildings or laying out gardens or making any improvement of a permanent nature or of purchasing land or of paying off any loan which has been theretofore raised by the board or by an old board or for which the board is liable, a board may, with the approval of the Administrator, borrow money, whether by way of bank overdraft or in any other manner; and as security for such loan the board may, with the approval of the Administrator, mortgage or charge any land vested in it.

Loans and contributions from Administration.

44. (1) The Administrator may grant a loan to any board for any of the purposes mentioned in the last preceding section, and may pay one-half of the interest and sinking fund on any such loan.

(2) If a board or an old board acquires or has acquired for any of the said purposes any amount by contribution from sources other than the Administration, the Administrator shall contribute a corresponding amount: Provided that the Administrator shall not contribute any money for any purpose which has not been approved by him.

Property to vest in board.

45. All property acquired or buildings erected shall be vested in the board.

Expenditure by board of moneys under its control.

46. Subject to the obligations of any trust affecting any funds or property of a board, the board may apply any moneys in its hands, in such proportions and in such manner as it thinks fit, for any of the purposes following:—

- (a) the maintenance of the institutions under the control of the board;
- (b) the establishment of new institutions in accordance with the provisions of this Ordinance in that behalf;
- (c) the acquisition of lands, whether freehold or leasehold required as a site for any institution for use in connection therewith;
- (d) the purchase, erection or equipment of buildings required for the purposes of any institution;
- (e) making repairs or additions to, or alterations of buildings used for the purpose of any institution;
- (f) the provision of medicines, disinfectants, surgical requisites and medical, surgical and nursing services for sick persons who are inmates of any institution, or who may attend thereat for the purpose of treatment, or who may require treatment at their homes;
- (g) the provision, subject to such restrictions or conditions as the Administrator may deem necessary of medicines, disinfectants, surgical requisites and medical, surgical and nursing services for the sick poor in their homes;
- (h) payment of salaries or wages of all persons appointed or employed by the board in pursuance of this Ordinance;
- (i) payment of all other expenses incurred in the lawful execution of any powers, duties or functions imposed or conferred upon the board by this Ordinance.

ESTABLISHMENT AND CONTROL OF INSTITUTIONS.

Boards may establish certain institutions.

47. (1) A board may with the approval of the Administrator, and shall when requested to do so by the Administrator, establish institutions of any of the following kinds:—

- (a) hospitals for the reception and relief of persons requiring medical or surgical treatment;
- (b) hospitals for the isolation and treatment of infectious and contagious diseases;
- (c) dispensaries;
- (d) maternity homes;
- (e) convalescent homes;
- (f) sanatoriums for the reception or relief of persons suffering from consumption or other disease;
- (g) other institutions of a medical, surgical or recuperative nature which are not inconsistent with the provisions of this Ordinance;
- (h) institutions established for any other purpose which the Administrator by written notice to the board has declared to be a public charitable purpose;
- (i) institutions falling within any two or more of the above classes.

(2) Any such institution may be established in any part of the area of the board by which it is established or in the case of a sanatorium, in any place outside that area; but no sanatorium shall be so established by any board outside its own area unless the institution is reasonably required for the reception and relief of persons resident in that area.

43. Vir die doeleindes van die oprigting van geboue of om aan geboue by te voeg of hulle te verander of vir die aanle van tuine of die maak van enige verbetering van 'n duursame aard of vir die aankoop van grond of die afbetaling van enige lening, wat voor dit deur die raad of 'n ou raad opgeneem is, of waarvoor die raad aanspreeklik is, kan 'n raad met die toestemming van die Administrateur geld leen, hetsy by wyse van oorskryding van bankrekening, of op 'n ander manier; en as sekuriteit vir sodanige lening kan die raad met die goedkeuring van die Administrateur enige grond, wat by hom berus, beleen of belas.

Raad kan geld leen.

44. (1) Die Administrateur kan 'n lening aan enige raad vir enige van die doeleindes genoem in die laasvooraangaande artikel toestaan en kan die helfte van die rente en delgingsfonds ten opsigte van enige sodanige lening betaal.

Lenings en bydraes van Administrasie.

(2) As 'n raad of 'n ou raad enige bedrag vir enige van vermeldde doeleindes uit ander bronne as van die Administrateur ontvang of ontvang het, moet die Administrateur 'n gelyke bedrag bydra: Met die verstande dat die Administrateur nie enige geld vir enige doel moet bydra nie, wat nie goedgekeur is nie.

45. Alle eiendom wat verkry word of geboue wat opgerig word, berus by die raad.

Eiendom berus by raad.

46. Onderhewig aan die verpligtings van enige geldbewaring ten opsigte van enige fondse of eiendom van 'n raad, kan die raad enige gelde in sy hande in sodanige verhouding en op sodanige wyse as hy goetvind, vir enige van die volgende doeleindes bestee:—

Uitgawe deur raad van geld onder sy beheer.

- (a) die onderhoud van die inrigtings onder die beheer van die raad;
- (b) die instelling van nuwe inrigtings ooreenkomstig die voorsienings van hierdie Ordonnansie dienaangaande;
- (c) die verkry van grond, betsy eiendomsgrond of in pag, wat as terrein vir enige inrigting benodig is, vir gebruik in verband daarmee;
- (d) die aankoop, oprigting of uitrusting van geboue wat vir die doel van enige inrigting gebruik word;
- (e) die maak van reparasies of byvoegings of veranderinge van geboue wat vir die doel van enige inrigting gebruik word;
- (f) die voorsiening van medisyne, ontsmettingsmiddels, heekundige benodighede en geneeskundige, heekundige en verplegingsdienste vir siek persone, wat in die inrigting bly of wat die inrigting besoek om behandel te word, of wat behandeling by hulle tuistes benodig;
- (g) die voorsiening, onderhewig aan sodanige beperkings of voorwaardes as die Administrateur nodig mag ag, van medisyne, ontsmettingsmiddels, heekundige benodighede en geneeskundige, heekundige en verplegingsdienste vir die siek armes in hul huise;
- (h) betaling van salarisse en lone aan alle persone deur die raad ingevoelge hierdie Ordonnansie aangestel of in sy diens;
- (i) betaling van al die ander onkoste beloop met die wettige uitvoering van enige bevoegdhede, pligte of dienste wat aan die raad deur hierdie Ordonnansie opgelê of verleen is.

STIGTING EN BEHEER VAN INRIGTINGS.

47. (1) 'n Raad kan met die toestemming van die Administrateur en moet, wanneer daartoe versoek deur die Administrateur, inrigtings van enige van die volgende soorte stig:—

Rade kan seker inrigtings stig.

- (a) hospitale vir die opname van en hulpverlening aan persone wat geneeskundige of heekundige behandeling nodig het;
- (b) hospitale vir die afsondering en behandeling van aansteeklike en besmetlike siektes;
- (c) apteke;
- (d) kraaminrigtings;
- (e) herstellingsinrigtings;
- (f) sanatoriums vir die opname van of hulpverlening aan persone wat aan tering of ander siekte ly;
- (g) ander inrigtings van 'n geneeskundige of heekundige aard of vir herstellingsdoeleindes, wat nie onbestaanbaar is met die voorsienings van hierdie Ordonnansie nie;
- (h) inrigtings, vir enige ander doel gestig wat die Administrateur deur skriftelike kennisgewing aan die raad verklaar het 'n publieke liefdadigheidsdoel te wees.
- (i) inrigtings wat onder enige twee of meer van bovermelde klasse val.

(2) Enige sodanige inrigting kan in enige deel van die wyk van die raad, waardeur dit ingestel word, gestig word, of ingeval van 'n sanatorium in enige plek buite daardie wyk; maar geen sanatorium mag aldus deur enige raad buite sy eie wyk gestig word nie tensy die inrigting redelikerwyse nodig is vir die opname van en hulpverlening aan persone woonagtig in daardie wyk.

(3) No new buildings shall be erected, and no structural additions or alterations costing more than one hundred pounds shall be made to any building, unless previous notice in writing of the proposed erection, addition or alteration has been sent to the Administrator, and the consent in writing of the Administrator has been previously given.

(4) A board may with the approval of the Administrator, and shall when requested to do so by the Administrator, provide medicines, disinfectants, surgical requisites and medical, surgical and nursing services for the sick poor in their homes or for other persons who require treatment in their homes.

Board may close an institution.

48. A board may, with the previous consent in writing of the Administrator, close any institution under its control.

Administrator may inspect private institutions.

49. The Administrator shall have the right at any time to have any private or semi-private institution inspected by the Medical Inspector as to accommodation, equipment, sanitation, treatment and facilities generally.

Applicants for relief to furnish correct information.

50. (1) Except in cases of emergency the board shall refuse assistance to any applicant for indoor relief at an institution, until such applicant, or any person responsible for such applicant, has supplied the information necessary to enable a form of admission, as shown in the First Schedule hereto, to be completed and has duly signed such form and has produced a certificate from the applicant's medical attendant, if any, or if the applicant has no medical attendant, from any person approved of by the board, stating what he knows of the circumstances of such applicant.

(2) If for any reason all the provisions of this section cannot immediately be complied with, the board may furnish temporary relief to any applicant pending further enquiry.

(3) This section shall not apply to any applicant undertaking to pay for such relief at a rate not less than the general ward tariff for that particular institution, nor to any applicant for whom the Administration is responsible.

(4) If any such applicant or any person knowingly on behalf of such applicant furnishes any false, incorrect or misleading information with a view to obtaining relief from the board free of cost or at a lower rate than otherwise such applicant would be required to pay, he shall be deemed to be guilty of fraud and shall be punishable accordingly.

Board's duty to maintain institutions and accommodate patients.

51. (1) It shall be the duty of every board at all times to maintain all institutions in the area to the satisfaction of the Administrator.

(2) It shall be the duty of every board in pursuance of any directions given from time to time in that behalf by the Administrator to receive into any institution under the control of the board, so far as adequate accommodation is therein available, any person suffering from any of the diseases for the relief of which that institution is established.

ESTABLISHMENT OF COMMITTEES.

Board may appoint committees.

52. For the administration of any matter within the powers of a board (other than the management of an institution when more than one institution is maintained in the area) the board may, if and so long as it thinks fit, establish and maintain from amongst its members a committee, and every such committee shall, subject to the control of the board, have the general administration of the matter in respect of which it is established.

Committees of management.

53. (1) Every institution in an area, if there be more than one institution therein, shall, subject to the control of the board, be managed by a committee to be styled "The Committee of Management of the (name of institution)".

(2) Every such committee shall consist of such number of persons as the board may from time to time consider necessary and appoint from amongst its own members, the contributors and the Honorary Visiting Medical Officers.

(3) The members of every such committee shall hold office for a period of two years except that on the first appointment they shall be appointed so as to secure, as far as may be, the retirement of an equal number of members annually.

(4) Every such committee shall, subject to the control of the board, be responsible for the general management of the institution and shall, with the approval of the board make all professional and other appointments in connection therewith.

Disqualification of members of committees.

54. The provisions of sections ten, eleven and twelve shall apply *mutatis mutandis* in connection with the appointment or continuance in office of any member of a committee under this Ordinance.

Vacancies on a committee.

55. (1) When a member of a committee vacates his office through the operation of the last preceding section, the board shall appoint some qualified person in his place.

(2) The member so appointed shall hold office only for the unexpired term of office of his predecessor.

(3) Geen nuwe geboue mag opgerig word nie en geen bygebou of veranderings aan 'n gebou gemaak word nie wat meer as eenhonderd pond kos tensy vooraf skriftelike kennisgewing van die voorgestelde oprigting, bygebou of verandering aan die Administrateur gestuur is en die skriftelike toestemming van die Administrateur vooraf verstrekk is.

(4) 'n Raad kan met die toestemming van die Administrateur, en moet, wanneer daartoe versoek deur die Administrateur, medisyne, ontsmettingsmiddels, heelkundige geneesmiddels en geneeskundige, heelkundige en verplegingsdienste vir sieke armense in hul huise of ander persone, wat behandeling in hul huise benodig, verskaf.

48. 'n Raad kan met skriftelike toestemming van die Administrateur, vooraf ontvang, enige inrigting onder sy beheer sluit.

Raad kan inrigting sluit.

49. Die Administrateur het die reg om ter enige tyd enige private of semi-private inrigtings deur die Mediese Inspekteur te laat inspekteer wat betref die akkomodasie, uitrusting, sanitasie, behandeling en fasiliteite in die algemeen.

Administrateur kan private inrigtings inspekteer.

50. (1) Behalwe in dringende gevalle moet die raad bystand aan enige applikant wat om hulp in 'n inrigting vra, weier totdat sodanige applikant of enige persoon, wat vir sodanige applikant verantwoordelik is, die informasie verskaf het wat nodig is om 'n toelatingsformulier, soos in die Eerste Bylae hiervan uiteengesit, te kan invul en sodanige formulier behoorlik geteken het en 'n sertifikaat van die applikant se geneesheer, indien enige, voorgelê het, of ingeval die applikant geen geneesheer het nie, van 'n deur die raad goedgekeurde persoon, wat moet aangee wat hy van die omstandighede van sodanige applikant weet.

Applikante vir onderstand moet juiste informasie verskaf.

(2) As aan al die voorsienings van hierdie artikel nie dadelik voldoen kan word nie, kan die raad tydelike hulp aan enige applikant verleen, hangende verder ondersoek.

(3) Hierdie artikel is nie van toepassing nie op enige applikant wat onderneem om vir sodanige hulpverlening teen minstens die algemene hospitaaltarief van daardie heersonder inrigting te betaal en ook nie op enige applikant waarvoor die Administrasie verantwoordelik is.

(4) As enige sodanige applikant of enige persoon opsetlik namens sodanige applikant enige valse, onjuiste of misleidende informasie verstrekk met die bedoeling om hulp van die raad kosteloos te verkry of teen 'n laer tarief as wat sodanige applikant andersins sou moet betaal, word hy geag aan bedrog skuldig te wees en dienoreenkomstig gestraf.

51. (1) Dit is die plig van elke raad om ten alle tye alle inrigtings in die wyk ten genoeg van die Administrateur te onderhou.

Raad verplig om inrigtings te onderhou en pasiënte op te neem.

(2) Dit is die plig van elke raad om ingevolge enige instruksies te dien behoewe van tyd tot tyd deur die Administrateur uitgevaardig om in enige inrigting onder beheer van die raad, vir sover voldoende akkomodasie daarin beskikbaar is, enige persoon op te neem wat aan enige van die siektes lydende is, ter genesing waarvan daardie inrigting bedoel is.

INSTELLING VAN KOMITEES.

52. Die raad kan as en solank as hy dit goedvind, vir die betere bestuur van enige saak binne die bevoegdhede van 'n raad (met uitsondering van die bestuur van 'n inrigting wanneer meer as een inrigting in die wyk onderhou word) van uit sy lede 'n komitee instel en onderhou en elke sodanige komitee het, onderhewig aan die beheer van die raad, die algemene bestuur van die saak ten opsigte waarvan dit ingestel is.

Raad kan komitees aanstel.

53. (1) Elke inrigting in 'n wyk, as daar meer as een inrigting daarin is, word, onderhewig aan die beheer van die raad, deur 'n komitee bestuur, wat bekend sal wees as "Die Besturende Komitee van die (naam van inrigting)".

Besturende komitees.

(2) Elke sodanige komitee bestaan uit sodanige aantal persone as die raad van tyd tot tyd mag nodig ag en van uit sy eie lede, die bydraers en die Honorêre Diensdoende Geneesheer mag aanstel.

(3) Die lede van elke sodanige komitee beklee hul ampte vir 'n tydperk van twee jare behalwe dat hulle by die eerste aanstellings op so 'n wyse moet aangestel word om sover moontlik te verseker dat elke jaar 'n gelyke aantal lede sal aftree.

(4) Elke sodanige komitee is, onderhewig aan die beheer van die raad, verantwoordelik vir die algemene bestuur van inrigting en maak, met toestemming van die raad, alle professionele en ander aanstellings in verband daarmee.

54. Die voorsienings van artikels tien, elf en twaalf is *mutatis mutandis* van toepassing in verband met die aanstelling of aanvaarding van enige lid van 'n komitee kragtens hierdie Ordonnansie.

Diskwalifikasie van lede van komitees.

55. (1) Wanneer 'n lid van 'n komitee uit sy amp tree kragtens die laasvoorgaande artikel, stel die raad 'n bevoegde persoon in sy plek aan.

Vakatures op 'n komitee.

(2) Die aldus aangestelde lid beklee sy amp alleen vir die onafgelope ampstyd van sy voorganger.

Acts of committee to be approved by board.

56. (1) All the acts and proceedings of a committee appointed under this Ordinance shall be reported to the board, and shall not, except so far as the board by regulation otherwise provides, have any operation or effect until approved at a meeting of the board.

(2) The proceedings and powers of every committee shall be governed and determined by regulations made from time to time by the board with the approval of the Administrator.

MISCELLANEOUS.

Board may compound for breach of contract.

57. A board may compound with any person for such sum of money or other recompense as it thinks fit in respect of the breach of any contract or in respect of any debt or money payable to the board, whether before or after action brought for the recovery thereof.

Contributors' Register.

58. Every board shall keep a book to be styled "The Contributors' Register" in which shall be entered the names and addresses of all contributors and the amount subscribed by each contributor.

Framing of regulations by board.

59. (1) A board, in respect of any institution under its control shall have power, from time to time, to make, revoke or amend under the seal of the board regulations not inconsistent with this Ordinance or with any regulation made by the Administrator under the provisions of section sixty-nine, as to any of the following matters:—

- (a) regulating the admission or discharge of patients and other persons entitled to the benefits of the institution;
- (b) maintaining order, discipline, decency and cleanliness among the inmates of the institution;
- (c) prescribing the duties of the officers, nurses, attendants and servants of the institution, and the conditions upon which registered medical practitioners not on the staff may attend patients at the institution;
- (d) preventing trespass upon the premises of the institution, or the grounds attached or belonging thereto;
- (e) prohibiting the introduction of any specified articles into the institution;
- (f) regulating the grant of relief by the institution to patients or other persons not being inmates of the institution;
- (g) generally making provision for all matters affecting the management, care, control and superintendence of the institution and the fulfilment of the purposes thereof;
- (h) providing for a breach of any such regulation a penalty of a fine not exceeding five pounds or, in default of payment thereof, imprisonment, with or without hard labour, for a period not exceeding one month.

(2) The making, revocation, or amendment of any such regulation shall not take effect unless and until approved by the Administrator and published in the *Gazette*.

(3) The Administrator may by notice in the *Gazette* at any time repeal any regulation then in force.

(4) Any regulation may relate either to a single institution or generally to all institutions under the control of the board.

Accounts to be balanced and statements prepared.

60. (1) Every board shall, before the end of May in every year cause its accounts for the preceding financial year to be balanced and a true statement and account to be prepared in the form prescribed by the Administrator in regulations of all contracts entered into and all moneys received or expended during that year and of the assets and liabilities of the board at the end of the year.

(2) A true copy of every such annual statement of account shall forthwith be sent by the board to the Administrator.

(3) Copies of such annual statement shall be printed or typewritten for distribution amongst contributors, and shall be furnished to every municipality in the area.

Appointment of auditors.

61. (1) The Administrator shall appoint one or more duly qualified persons being officers of the public service to examine from time to time the accounts and records of any board and the board shall, by the secretary or other officer authorised by the board, produce and lay before the person or persons so appointed all books and accounts of the institution or institutions under the control of such board with all vouchers in support of the same and all books, papers and writings in their power relating thereto.

(2) The board shall pay to the Administrator within three months from the date on which the auditor appointed under the last preceding sub-section signs and certifies the accounts of the board for any one financial year, such sum as the Administrator may from time to time determine, not being more than one per cent, of the total expenditure of the board which has been brought to account and certified by such auditor for that financial year.

56. (1) Oor al die handelings en verrigtings van 'n komitee, aangestel in gevolge hierdie Ordonnansie, moet verslag aan die raad gedoen word en hulle het geen uitwerking of krag nie totdat hulle op 'n vergadering van die raad goedgekeur is, tensy die raad deur regulasies andersins bepaal.

Verrigtings van komitee moet deur raad goedgekeur word.

(2) Die verrigtings en bevoegdhede van elke komitee word deur regulasies beheer en bepaal wat van tyd tot tyd met die toestemming van die Administrateur deur die raad uitgevaardig word.

ORALOOOR.

57. 'n Raad kan met enige persoon 'n vergelyking tref vir sodanige geldbedrag of ander vergoeding, as hy mag goetvind, ten opsigte van enige kontrakbreuk of ten opsigte van enige skuld of geld wat aan die raad betaalbaar is en kan dit of voordat of nadat 'n geding vir die verhaal daarvan aanhangig gemaak is, doen.

Raad kan vergelyking tref ten opsigte van kontrakbreuk.

58. Elke raad moet 'n boek aanhou, wat "Die Register van Bydraers" genoem word en waarin die name en adresse van alle bydraers en die bedrag deur elke bydraer bygedra, aangeteken moet word.

Register van Bydraers.

59. (1) Ten opsigte van enige inrigting onder sy beheer is 'n raad bevoeg om van tyd tot tyd onder die seël van die raad regulasies te maak, herroep of wysig, in ooreenstemming met hierdie Ordonnansie of met enige regulasie, deur die Administrateur ingevolge die voorsienings van artikel neën-en-sestig uitgevaardig, ten opsigte van enige van die volgende aangeleenthede—

Opstel van regulasies deur raad.

- (a) ter reëling van die toelating en ontslag van pasjente en ander persone wat geregtig is om aan die voordele van die inrigting deel te neem;
- (b) ter handhawing van orde, disipline, welvoeglikheid, en sindelikhed onder die inwoners van die inrigting;
- (c) ter voorskrywing van die pligte van beampies, verpleegsters, oppassers en bediendes van die inrigting, en die voorwaardes waaronder geregistreerde geneesher, wat nie aan die personeel behoort nie, pasjente in die inrigting mag behandel;
- (d) ter voorkoming van wederregtelike betreding van die perseel van die inrigting of die daaraan geleë of behorende grond;
- (e) ter verbieding van die inbring van enige bepaalde artikels in die inrigting;
- (f) ter reëling van hulpverlening deur die inrigting aan pasjente of ander persone wat nie inwoners van die inrigting is nie;
- (g) om in die algemeen voorsiening te maak vir alle aangeleenthede met betrekking tot die bestuur van, die sorg vir, beheer en opsig van die inrigting en die bereiking van die doeleindes daarvan;
- (h) ter bepaling van 'n straf van 'n boete van hoogstens vyf pond of, ingeval van wanbetaling, van gevangenis met of sonder harde arbeid vir 'n tydperk van hoogstens een maand.

(2) Die uitvaardiging, herroeping of wysiging van enige sodanige regulasie tree nie in werking nie tensy en totdat dit deur die Administrateur goedgekeur en in die *Offisiële Koerant* gepubliseer is.

(3) Die Administrateur kan ter enige tyd enige asdan bestaande regulasie deur kennisgewing in die *Offisiële Koerant* herroep.

(4) Enige regulasie kan of op 'n enkele inrigting of in die algemeen op alle inrigtings onder beheer van die raad toegepas word.

60. (1) Elke raad moet voor die end van Mei in elke jaar sy rekenings vir die afgelope boekjaar laat balanseer en 'n juiste staat en rekening van alle kontrakte aangegaan en alle gelde ontvang en uitgegee gedurende daardie jaar en van alle bate en laste van die raad by die end van die jaar in die vorm, soos deur die Administrateur in die regulasies voorgeskrywe, laat opstel.

Balansstaat en rekenings moet opgestel word.

(2) 'n Juiste kopie van elke sodanige jaarlikse staat moet onmiddellik deur die raad aan die Administrateur gestuur word.

(3) Kopieë van sodanige jaarlikse staat moet gedruk of getik word vir uitdeling onder bydraers, en moet aan elke munisipaliteit in die wyk verstrek word.

61. (1) Die Administrateur moet een of meer bevoegde persone, wat beampies van die staatsdiens is, aanstel om van tyd tot tyd die rekenings en stukke van enige raad te ondersoek en die raad moet, deur die sekretaris of ander deur die raad gemagtigde persoon, alle boeke en rekenings van die inrigting of inrigtings onder die beheer van sodanige raad, saam met alle kwitansies ter staving daarvan en alle boeke, papiere en geskryfte onder hul beheer met betrekking daartoe, aan die aldus aangestelde persoon of persone voorlê.

Aanstelling van ouditeurs.

(2) Die raad moet binne drie maande vanaf die datum waarop die ouditeur, aangestel ingevolge die laasvoorgaande onderartikel, die rekenings van die raad vir enige boekjaar teken en sertifiseer, aan die Administrateur sodanige bedrag betaal as die Administrateur van tyd tot tyd mag vasstel, maar nie een persent van die totale uitgawes van die raad, wat in rekening gestel en deur sodanige ouditeur ten opsigte van daardie boekjaar gesertifiseer is, te bowe gaande nie.

Books to be kept as prescribed by Administrator.

62. (1) Every board shall cause books to be provided and kept, and true and regular accounts to be entered therein in the form prescribed by the Administrator, of all sums received and paid by the board, and of the several purposes for which those sums were received and paid.

(2) A separate account shall be kept in respect of every trust fund or trust property under the control of the board.

(3) The said books and accounts shall at all reasonable times be open to the inspection of any member of the board.

How boards which fail to do their duty may be dealt with.

63. (1) If at any time it appears to the Administrator that a board has failed or refused to perform any duty imposed upon it by this Ordinance, or is improperly exercising its powers, or has unreasonably failed or refused to exercise any power conferred on it by this Ordinance, or has done or intends to do any illegal act in the execution of its functions, it shall be lawful for the Administrator to withhold the whole or any part of the moneys payable to the board from the funds of the Administration under this Ordinance for the current or next succeeding year, or to terminate the period of office of the members of the board and appoint a provisional board pending the election of a new board under the provisions of this Ordinance.

(2) When any money payable to a board has been so withheld the board shall forfeit its right to receive that money until and unless the Administrator authorises the payment thereof.

The Administrator may validate acts.

64. Where by misadventure, accident or mistake, whether of law or fact, anything is at any time done after the time or is not done within the time required by this Ordinance, or any law repealed by this Ordinance, or is otherwise irregularly done in matter of form, the Administrator may, in writing, under the hand of the Secretary for South West Africa, make provision for any such case or may extend the time within which anything is required to be done, or may validate anything so done after the time required or so irregularly done in matter of form, so that the true intent and purpose of this Ordinance may have effect, but no such action shall affect any judicial proceedings theretofore instituted or any judgment, decree or other decision thereupon made or given by any court.

Appointment of Medical Inspector and Lay Inspector.

65. (1) The Administrator shall appoint a Medical Inspector and a Lay Inspector of Hospitals and Charitable Institutions for the purpose of assisting in the administration of this Ordinance; and the Administrator may whenever it is necessary or expedient to do so appoint some person to act in the place of or in addition to the Medical Inspector or the Lay Inspector.

(2) Such officers or one of them shall inspect every institution at least once during each financial year and shall at all times for the purpose of such inspection or the carrying out of their duties under this Ordinance, have access to any part of any institution and any books or other records kept by a board or a committee thereof.

(3) Whenever required by the Administrator in terms of section forty-nine to inspect any private or semi-private institution, the Medical Inspector shall for the purpose of inspection, have access to such institution and any books or other records kept in connection therewith and shall furnish a report to the Administrator on such institution.

(4) Such officers shall, before the month of September in each year, prepare and deliver to the Administrator an annual report for the last preceding financial year, giving such particulars as to the administration of this Ordinance as they think fit or as the Administrator requires.

Disestablishment of area and liquidation and dissolution of board.

66. (1) The Administrator may at any time by notice to the *Gazette* disestablish any area if he is satisfied that the public in such area do not render adequate financial support to the institution or institutions in such area.

(2) The Administrator shall not exercise the powers conferred by sub-section (1) until he has consulted the council of every municipality, if any, in the area, and until he has advertised his intention to exercise such powers once a week for three consecutive weeks in some newspaper circulating in the area, and has considered all objections or petitions relating to the proposed disestablishment received by him within one month after the last publication of such advertisement.

(3) In the notice disestablishing any area, the Administrator shall appoint some fit and proper person, who may be a member of the public service, to be liquidator of the board constituted for that area and thereupon the board shall cease to have any control over its property and such control shall be vested in the liquidator for the purposes of the liquidation. The Administrator may at any time remove any liquidator and appoint a fresh liquidator.

(4) The liquidator shall publish a notice in the *Gazette* calling upon every person having any claim, whether contingent or otherwise, against, or owing any debt to, the board to lodge such claim with and pay such debt to him, within three months after the publication of the notice. Every claim not lodged with the liquidator within that period shall be extinguished.

62. (1) Elke raad moet boeke laat aanskaf en hou, en juiste en gereelde rekenings daarin in die vorm laat opskrywe, soos deur die Administrateur voorgeskrywe, van alle bedrae wat deur die raad ontvang en betaal is en van die verskeie doeleindes waarvoor sodanige bedrae ontvang en betaal is.

(2) 'n Afsonderlike rekening moet gehou word van elke fonds of eiendom wat onder beheer van die raad in bewaring gehou word.

(3) Die vermeldde rekeningboeke moet ten alle redevolke tye ter insae van enige lid van die raad lê.

63. (1) As dit ter enige tyd aan die Administrateur blyk dat 'n raad versuim of geweier het om enige plig, deur hierdie Ordonnansie op hom gelê, uit te voer of op onbehoorlike wyse sy bevoegdhede uitoefen of onredelikerwyse versuim of geweier het om enige bevoegdheid, hom deur hierdie Ordonnansie opgedra, uit te oefen of enige onwettige handeling in die uitvoering van sy funksies gepleeg het of beoog, is dit wettig vir die Administrateur om die hele of enige deel van die gelde ingevolge hierdie Ordonnansie betaalbaar aan die raad uit die fondse van die Administrasie vir die lopende of eersvolgende jaar terug te hou, of om die ampstyd van die lede van die raad te beëindig en 'n voorlopige raad aan te stel, hangende die verkiesing van 'n nuwe raad ingevolge die voorsienings van hierdie Ordonnansie.

(2) Wanneer enige aan 'n raad betaalbare geld aldus teruggehou is, verbeur die raad sy reg om daardie geld te ontvang totdat en tensy die Administrateur die betaling daarvan magtig.

64. Wanneer by ongeluk, toeval of vergissing, hetsy in wet of feit, ter enige tyd iets na die tyd vereis deur hierdie Ordonnansie of deur enige wet, wat deur hierdie Ordonnansie herroep is, gedoen word of dit nie binne daardie tyd gedoen word nie, of as dit andersins onreëlmatig in sake van vorm gedoen word, kan die Administrateur in geskryfte onder die hand van die Sekretaris vir Suidwes-Afrika voorsiening vir enige sodanige aangeleentheid maak of die tyd verienig binne welke iets gedoen moet word, of kan iets legaliseer wat aldus na die vereiste tyd gedoen is of aldus in sake van vorm onreëlmatig gedoen is, ten einde die ware strekking en bedoeling van hierdie Ordonnansie te verwesenlik maar geen sodanige handeling het enige invloed op enige geregtelike prosedures wat van e vore ingestel is, of op enige vonnis, bevel of ander beslissing daaromtrent deur enige hof uitgevaardig of gevel.

65. (1) Die Administrateur moet 'n Geneeskundige Inspekteur en 'n Leekinspekteur van Hospitale en Liefdadigheidsinrigtings aanstel vir die doel om in die Administrasie van hierdie Ordonnansie by te staan, en wanneer dit nodig of raadsaam is om dit te doen, kan die Administrateur 'n persoon aanstel om in die plek van of naas die Geneeskundige Inspekteur of die Leekinspekteur op te tree.

(2) Sodanige beamptes of eenige van hulle moet elke inrigting tenminste eenmaal gedurende elke boekjaar inspekteur en het ten alle tye vir die doel van sodanige inspeksie of die uitvoering van hul pligte ingevolge hierdie Ordonnansie toegang na enige deel van enige inrigting en na enige boeke of ander stukke, wat deur die raad of 'n komitee daarvan gehou word.

(3) Wanneer deur die Administrateur ingevolge die bepalings van artikel een-en-veertig vereis om enige private of semi-private inrigting te inspekteur, het die Geneeskundige Inspekteur vir die doel van inspeksie toegang tot sodanige inrigting en tot enige boeke of ander stukke wat in verband daarmee gehou word en hy moet 'n verslag oor sodanige inrigting aan die Administrateur oorhandig.

(4) Sodanige beamptes moet voor Septembermaand in elke jaar 'n jaarlikse verslag vir die laasvoorgaande boekjaar opstel en aan die Administrateur oorhandig en daarin sodanige besonderhede oor die administrasie van hierdie Ordonnansie, as hulle mag goedvind of as die Administrateur mag vereis, meedeel.

66. (1) Die Administrateur kan ter enige tyd deur kennisgewing in die *Offisiële Koerant* enige wyk ontbind as hy oortuig is dat die publiek in sodanige wyk nie voldoende geldelike ondersteuning aan die inrigting of inrigtings in sodanige wyk gee nie.

(2) Die Administrateur oefen nie die hom deur onder-artikel (1) verleende magte uit nie, totdat hy die raad van elke munisipaliteit, indien enige, in die wyk geraadpleeg het en totdat hy sy voorneme om sodanige magte uit te oefen eenmaal per week vir drie opeenvolgende weke in 'n koerant, wat in die wyk in omloop is, geadverteer het en alle besware of petitiesies met betrekking tot die voorgestelde ontbinding, wat deur hom binne een maand na die laaste publikasie van sodanige advertensie ontvang word, in oorweging geneem het.

(3) In die kennisgewing van ontbinding van enige wyk, moet die Administrateur 'n geskikte en gepaste persoon, wat 'n lid van die staatsdiens kan wees, aanstel om likwidateur van die raad, vir daardie wyk ingestel, te wees en daarna hou die raad op om enige beheer oor sy eiendomme te hê en berus sodanige beheer by die likwidateur vir die doeleindes van die likwidasie. Die Administrateur kan ter enige tyd die likwidateur uit sy amp ontslaan en 'n nuwe likwidateur aanstel.

(4) Die likwidateur moet 'n kennisgewing in die *Offisiële Koerant* publiseer en alle persone wat enige vordering, gebeurlik of andersins, of skuld teenoor die raad het, opvorder om binne drie weke na die publikasie van die kennisgewing sodanige vordering by hom in te dien of sodanige skuld aan hom te bepaal. Elke vordering wat nie binne daardie tydperk by die likwidateur ingedien is nie, word nietig.

Boeke moet gehou word soos deur Administrateur voorgeskryf.

How may the rate be dealt with.

Die Administrateur kan handelings legaliseer.

Aanstelling van Geneeskundige Inspekteur en Leekinspekteur.

Ontbinding van wyk e likwidasie en ontbinding van raad.

(5) The liquidator in his capacity as such may terminate any contract of service or any contract for the supply of goods existing between the board and any person, according to the terms of such contract, and every such contract which is not so terminated within a period of three months reckoned from the date of notice disestablishing the area shall be deemed to have been lawfully terminated at the expiration of the period of three months reckoned from the date of the said notice. The liquidator may sue or be sued for any debt owing to or by the board: Provided that no proceedings to recover any debt shall be instituted against the liquidator after a period of six months has expired, reckoned from the date of the expiry of the period of three months referred to in sub-section (4) or from the date of the accrual of the debt, whichever date is the later.

(6) The liquidator shall complete the liquidation with all convenient dispatch.

(7) The Administrator may by notice in the Gazette make rules governing liquidations under the provisions of this section.

(8) Upon the completion of the liquidation the liquidator shall deliver to the Administrator all property of the board or derived from property of the board, and such property shall thereupon vest in the Administration.

(9) The Administrator shall thereupon by notice in the Gazette dissolve the board.

(10) The Administrator may, after he has consulted the council of every municipality, if any, in the area in which the board was constituted, direct how such property so vested in him shall be dealt with or disposed of. He shall, when giving such direction, take into consideration the advisability of applying such property or the income from or the proceeds of such property to the purposes which hospitals or kindred institutions are intended to serve.

67. Nothing in this Ordinance contained shall be construed as authorising the payment from the Territory Revenue Fund of any money except under appropriation made by law.

68. Every hospital district which, prior to the commencement of this Ordinance, the Administrator has by notice in the Gazette declared to be constituted under the provisions of any of the laws hereby repealed shall be deemed to have been lawfully constituted under such provisions.

69. The Administrator may from time to time by notice in the Gazette make all such regulations consistent with this Ordinance as he thinks necessary or expedient for carrying into full effect the provisions thereof.

70. The laws mentioned in the Second Schedule to this Ordinance are hereby repealed, but notwithstanding such repeal, all regulations made, except the regulations relative to the audit of accounts of hospital boards published in Government Notice No. 21 of 1923, or orders issued under the provisions of any of the said laws shall, in so far as the same are not repugnant to or inconsistent with the provisions of this Ordinance, or of any regulations made or orders issued under the provisions of this Ordinance, remain in force until altered or repealed.

71. This Ordinance may be cited for all purposes as the Hospitals and Charitable Institutions Ordinance, 1929, and shall commence on the first day of October, 1929.

(5) Die likwidateur kan in sy hoedanigheid as sulks, enige dienskontrak of kontrak vir die lewering van goedere, wat tussen die raad en enige persoon bestaan, volgens die bepalinge van sodanige kontrak beëindig en elke sodanige kontrak, wat nie aldus binne 'n tydperk van drie maande, bereken vanaf die datum van die kennisgewing, wat die wyk ontbind, beëindig is nie, word beskou na afloop van die tydperk van drie maande, bereken vanaf die datum van die vermelde kennisgewing, wettiglik beëindig te wees. Die likwidateur kan ten opsigte van enige skuld aan of van die raad regtens aanspreek of aangespreek word: Met die verstande, dat geen prosedures vir die verhaal van enige skuld teen die likwidateur na afloop van 'n tydperk van ses maande, bereken vanaf die datum van die afloop van die tydperk van drie maande, vermeld in onderartikel (4), of vanaf die datum van die ontstaan van die skuld, al na gelang wat die laaste datum is, aanhangig gemaak mag word nie.

(6) Die likwidateur moet die likwidasie met alle doenlike spoed afwikkel.

(7) Die Administrateur kan deur kennisgewing in die *Offisiële Koerant* reëls uitvaardig met betrekking tot likwidasies ingevolge die voorsienings van hierdie artikel.

(8) Na afwikkeling van die likwidasie moet die likwidateur alle eiendom van die raad, of eiendom uit die eiendom van die raad verkry aan die Administrateur afgee en sodanige eiendom berus daarna by die Administrasie.

(9) Daarna ontbind die Administrateur die raad deur kennisgewing in die *Offisiële Koerant*.

(10) Na raadpleging van die raad van elke munisipaliteit, indien enige, in die wyk, waarvoor die raad ingestel was, kan die Administrateur gelas hoe met sodanige aldus by hom berustende eiendom gehandel sal word of daarvoor beskik sat word. Wanneer hy aldus gelas, moet hy die wenslikheid van die besteding van sodanige eiendom of die inkomste uit of opbrings van sodanige eiendom vir die doeleindes, wat hospitale en gelykaardige inrigtings bedoel is om te dien, in aanmerking neem.

67. Niks in hierdie Ordonnansie bevat nie, mag uitgelê word as 'n magtiging van die betaling van enige geld uit die Inkomstefonds van die Gebied behalwe ooreenkomstig beskikbaarstelling deur wet gemaak.

68. Elke hospitaaldistrik, wat voor die inwerkingtreding van hierdie Ordonnansie deur die Administrateur deur kennisgewing in die *Offisiële Koerant* verklaar is ingevolge die voorsienings van enige van die hierdeur herroepde wette ingestel te wees, word beskou wettiglik ingevolge sodanige voorsienings ingestel te wees.

69. Die Administrateur kan van tyd tot tyd deur kennisgewing in die *Offisiële Koerant* alle sodanige met hierdie Ordonnansie bestaande regulasies uitvaardig, as hy nodig of raadsaam vir die volle uitvoering van die voorsienings daarvan oordeel.

70. Die wette genoem in die Tweede Bylae van hierdie Ordonnansie word hierby herroep, maar niestandaande sodanige herroeping bly alle uitgevaardigde regulasies, met uitsondering van die regulasies met betrekking tot die outitering van hospitaalraadrekenings, gepubliseer in Regeringskennisgewing No. 21 van 1923, of bevels uitgereik ooreenkomstig die voorsienings van enige van die vermelde wette, vir sover as hulle nie teenstrydig of onbestaanbaar met die voorsienings van hierdie Ordonnansie is nie, of van enige regulasies of bevels uitgevaardig ingevolge die voorsienings van hierdie Ordonnansie, van krag totdat hulle gewysig of herroep word.

71. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Ordonnansie op Hospitale en Liefdadige Inrigtings 1929 en tree in werking op die eerste dag van Oktober 1929.

Geen betalings uit Inkomstefonds van Gebied geskied behalwe ooreenkomstig beskikbaarstelling deur wet gemaak nie.

Instelling van hospitaallade, ingevolge herroepde wette, bekragtig.

Administrateur kan regulasies optrek.

Herroeping van wette.

Kort tiel *en datum van inwerkingtreding.

EERSTE BYLAE.

Distrik No.
Datum
Tyd
..... Hospitaal.

Toelatingsformulier.

Moet deur of namens 'n pasjent, wat aansoek vir toelating doen, ingevul word, behalwe in dringende gevalle of tensy 'n onderneming gegee word om teen nie minder as die volle siekesaaltarief te betaal nie.

Hierdie formulier moet deur die pasjent of deur 'n persoon wat vir die pasjent verantwoordelik is, geteken word en dit moet mede-onderteken word deur die pasjent se geneesheer, indien enige, of as die pasjent geen geneesheer het nie, dan deur enige deur die raad goedgekeurde persoon.

Hierdie aanbeveling is uiteindelik voor toelating onderhewig aan die goedkeuring van die beampte wat met die toesig belas is.

FIRST SCHEDULE.

District No.
Date
Time
..... Hospital.

Form of Admission.

To be filled in by or on behalf of a patient seeking admission except in cases of emergency or unless an undertaking is given to pay at the rate of not less than the full ward tariff.

This is to be signed by the patient or by a person responsible for the patient, and it should be countersigned by the patient's Medical Attendant, if any, or if the patient has no Medical Attendant, then by any person approved of by the Board.

This recommendation to be subject finally to the approval of the Officer-in-Charge before admission.

- 1. Full Name:
- 2. Occupation:
- 3. Address:
- 4. Where born and age?
- 5. What is your Religion?
- 6. How long have you been ill?

- 1. Volle Naam
- 2. Beroep
- 3. Adres
- 4. Waar gebore en ouderdom
- 5. Wat is u Godsdienst?
- 6. Hoelank sick?

No payment to be made out of Territory Revenue Fund except under appropriation made by law.

Constitution of hospital districts under laws repealed ratified.

Administrator may frame regulations.

Repeal of laws.

Short title and date of commencement.

7. What Medical man has attended you during present illness, and for how long?
8. Are you married or single?
9. If married, how many of a family have you, or who is dependent on you?
10. What is your wages or salary?
11. Have you any other means besides your wages and salary, and if so, how much?
12. Do you belong to any benefit society?
13. What can you afford to contribute towards your maintenance?
14. Give the names of friends to refer to:
 - (1)
 - (2)
 - (3)

Signature of Applicant.

.x.) To the Officer-in-Charge, Hospital.

I know the Applicant and believe his statement to be correct and worthy of your consideration.

(Medical Attendant).

Admit above as a Patient.

Officer-in-Charge.

.x.) If preferred a separate note may be sent to the Officer-in-Charge.

SECOND SCHEDULE.

No. of law.	Name.
Proclamation No. 5 of 1922	Hospitals and Charitable Institutions Proclamation, 1922.
Proclamation No. 36 of 1922.	Hospitals and Charitable Institutions Amendment Proclamation, 1922.
Proclamation No. 42 of 1923	Hospitals and Charitable Institutions Proclamation Further Amendment Proclamation, 1923.

DRAFT ORDINANCE

To provide for the control of the export of wild animals.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the Governor-General, in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section *twenty-six* of the South West Africa Constitution Act, 1925, of the Parliament of the Union of South Africa, as follows:—

1. (1) No person shall export alive from this Territory by land or sea, any animal mentioned in the Schedule to this Ordinance, unless he is the lawful holder of a permit issued under the authority of the Administrator. The Administrator may by such permit impose such conditions as he may think fit.

(2) There shall be paid for every such permit the fee set out in the said Schedule opposite the name of the animal the exportation of which is authorized by the permit: Provided that if the Administrator is satisfied that the animal to be exported is required for any public museum, zoological garden or scientific institution or for scientific purposes, and that the person to whom the permit is issued does not intend to make any profit by the disposal of the animal, he may authorize the issue of the permit without fee or at a reduced fee, as he may determine.

2. The Administrator may by proclamation in the *Gazette* make such amendments to the Schedule to this Ordinance, whether by deletion from or alteration of or addition to the specifications contained therein, as he may deem fit.

3. (1) Any person who contravenes or evades or attempts to contravene or evade any of the provisions of this Ordinance or any condition of a permit issued under section *one* shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding six months.

(2) A Magistrate's court shall have special jurisdiction to impose on summary trial the maximum penalty for an offence under this Ordinance.

No exportation of live animals except under permit.

Administrator may amend Schedule.

Penalty.

7. Watter geneesheer het u gedurende u teenwoordige siekte behandel en vir hoelank?
8. Is u getroud of ongetroud?
9. Indien getroud, hoe groot is u famielie en wie is van u afhanklik?
10. Wat is u loon of salaris?
11. Het u enige ander middele behalwe u loon en salaris, en indien ja, hoeveel?
12. Is u lid van enige genootskap tot onderlinge hulp?
13. Hoeveel kan u tot u onderhoud bydra?
14. Gee die name van vriende na wie verwys kan word:
 - (1)
 - (2)
 - (3)

Handtekening van Applikant.

(*) Aan die Toesighebbende Beampte, Hospitaal.

Ek ken die applikant en glo dat sy verklaring juis en werd is om deur u in aanmerking geneem te word.

(Geneesheer.)

Laat poststaande toe as 'n pasjent.

Toesighebbende Beampte.

(*) As dit verkies word, kan 'n afsonderlike briefie aan die Toesighebbende Beampte gestuur word.

TWEDE BYLAE.

No. van Wette	Naam
Proklamasie No. 5 van 1922	Proklamasie op Hospitaal en Liefdadige Inrigtingen 1922.
Proklamasie No. 36 van 1922	Wijziging Proklamasie op Hospitaal en Liefdadige Inrigtingen 1922
Proklamasie No. 42 van 1923	Verdere Wijzigings Proklamasie op Hospitaal en Liefdadige Inrigtingen 1923.

ONTWERPORDONNANSIE

Om voorsiening te maak vir die kontrole van die uitvoer van wilde diere.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika, met die toestemming van die Goewerneur-Generaal, insover sodanige toestemming nodig is, ooreenkomstig die bepaling van artikel *ses-en-twintig* van die "Zuidwest-Afrika Konstitusie Wet 1925" van die Parlement van die Unie van Suid-Afrika vooraf verkry en by goedkeuring van die Administrateur aan die Wetgewende Vergadering medegedeel, as volg:—

1. (1) Niemand mag enige dier, in die Bylae van hierdie Ordonnansie genoem, lewend by land of see uit hierdie Gebied uitvoer nie, tensy hy die wettige houër is van 'n permit op gesag van die Administrateur verleen. Die Administrateur kan by sodanige permit sodanige voorwaardes opleë as hy goed mag vind.

(2) Vir elke sodanige permit moet die fooi, uiteengesit in die voormelde Bylae naas die naam van die dier waarvan die uitvoer deur daardie permit gemagtig is, betaal word: met die verstande dat as die Administrateur oortuig is dat die dier, vir uitvoer bestemd, vir 'n publieke museum, dieretuin of wetenskaplike inrigting of vir wetenskaplike doeleindes benodig is, en dat die persoon aan wie die permit verleen is nie bedoel om van die afstaan van die dier enige wins te maak nie, dan kan hy die verlening van die permit sonder fooi of teen 'n verminderde fooi, soos hy mag besluit, goedkeur.

2. Die Administrateur kan by proklamasie in die *Offisiële Koeraat* sodanige wysigings in die Bylae van hierdie Ordonnansie maak as wat hy mag goedvind, ditsy deur weglating van, of byvoeging tot, die spesifikasies daarin bevat.

3. (1) Enigeen wat 'n bepaling van hierdie Ordonnansie of 'n voorwaarde van 'n permit, ooreenkomstig artikel *een* verleen, oortree of ontduik, of trag te oortree of ontduik, is skuldig aan 'n oortreding en by skuldigbevinding strafbaar met boete van hoogstens eenhonderd pond, of by wanbetaling met tronkstraf met of sonder dwangarbeid vir 'n tydperk van hoogstens ses maande.

(2) 'n Magistraatshof het spesiale jurisdiksie om by summêre verhoor die hoogste straf vir 'n oortreding ingevolge hierdie Ordonnansie, op te lê.

Administrateur kan Bylae wysig.

Straf.

(3) Whenever any person is convicted of exporting any animal from this Territory without a permit issued under the provisions of this Ordinance, the court may, in addition to imposing any sentence, give judgment against him for the amount of any fee that would under this Ordinance be payable for a permit authorizing the exportation of such animal.

Every such judgment shall be enforceable in like manner as if it were a civil judgment of the court.

Savings.

4. Nothing in this Ordinance contained shall be construed as affecting in any way any of the provisions of the Wild Birds Export Prohibition Proclamation, 1924 (Proclamation No. 12 of 1924), the Game Preservation Ordinance, 1927 (Ordinance No. 5 of 1927), as amended by the Game Preservation Ordinance Amendment Ordinance, 1928 (Ordinance No. 6 of 1928), or the Python and Leguan Export Prohibition Ordinance, 1928 (Ordinance No. 17 of 1928), or as rendering compliance with any of the provisions of any of the said laws unnecessary.

Short title.

5. This Ordinance may be cited for all purposes as the Wild Animals Export Control Ordinance, 1929.

(3) Wanneer iemand skuldig bevind is van 'n dier uit die Gebied uitgevoer te hê sonder 'n permit, kragtens die bepalings van hierdie Ordonnansie verleen, kan die hof, behalwe 'n straf op te lê, vonnis teen hom gee vir die bedrag van enige fooi wat volgens hierdie Ordonnansie betaalbaar sou wees vir 'n permit wat die uitvoer van so 'n dier magtig.

Elke sodanige vonnis is op dieselfde manier uitvoerbaar as of dit 'n siviele vonnis van die hof is.

4. Niks in hierdie Ordonnansie vervat word beskou as op enige wyse enige van die bepalings van die "Uitvoer van Wilde Vogels Verbod Proklamasie 1924", (Proklamasie No. 12 van 1924), die Wildbeskerming-Ordonnansie 1927, (Ordonnansie No. 5 van 1927), soos gewysig deur die Wildbeskerming-Ordonnansie Wysigings Ordonnansie 1928, (Ordonnansie No. 6 van 1928), of die Verbod van Uitvoer van Luislange en Likkewane Ordonnansie 1928, (Ordonnansie No. 17 van 1928), te verander nie, of as die nakoming van enige van die bepalings van die voornoemde wette onnodig te maak nie.

5. Hierdie Ordonnansie kan vir al die doeleindes aangehaal word as die Ordonnansie van 1929 betreffende die Kontrole oor die Uitvoer van Wilde Diere. Kort titel.

SCHEDULE.

Animal.	Fee.
Elephant	£25 0 0
Hippopotamus	25 0 0
Rhinoceros	25 0 0
Lion	20 0 0
Buffalo	25 0 0
Giraffe	25 0 0
Damaraland Dik-dik	3 0 0
Eland	3 0 0
Gemsbok	3 0 0
Gnu (Wildebeest)	3 0 0
Hartebeest	3 0 0
Impala	3 0 0
Kudu	3 0 0
Roan Antelope	5 0 0
Sable Antelope	10 0 0
Tsessebe (Sassaby)	3 0 0
Zebra	3 0 0
Blesbuck	2 0 0
Reedbuck	2 0 0
Rooi Rhebuck	2 0 0
Vaal Rhebuck	2 0 0
Crocodile	1 0 0
Deland's Fox (Octocyon Megalotis)	1 0 0
Erdvark (Orycteropus Afer)	1 0 0
Klipspringer	1 0 0
Scaly Anteater (Manis Temmincki)	1 0 0
Wild Pig	1 0 0
Antelopes not specially mentioned	10 0

BYLAE.

Dier.	Fooi.
Olifant	£25 0 0
Seekoei	25 0 0
Renoster	25 0 0
Leeu	20 0 0
Buffel	25 0 0
Giraf	25 0 0
Damaralandse Dik-dik	3 0 0
Eland	3 0 0
Gensbok	3 0 0
Wildebees (Gnu)	3 0 0
Hartbees	3 0 0
Rooibok	3 0 0
Koedoe	3 0 0
Bastergensbok	5 0 0
Swartwiltpensbok	10 0 0
Tsessebe (Alcelaphus lunata)	3 0 0
Sebra	3 0 0
Blesbok	2 0 0
Rietbok	2 0 0
Rooiribbok	2 0 0
Vaalribbok	2 0 0
Krokodil	1 0 0
Jakkals (Octocyon Magalotis)	1 0 0
Erdvark (Orycteropus Afer)	1 0 0
Klipspringer	1 0 0
Miereeter (Manis Temmincki)	1 0 0
Wilde Vark	1 0 0
Wildbokke, nie spesiaal genoem nie	10 0

DRAFT ORDINANCE

Further to amend the law relating to the supply of electricity for public purposes.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

Interpretation.

1. In this Ordinance the expression "the principal law" means the Electric Power Proclamation, 1922 (Proclamation No. 4 of 1922) as amended by the Electric Power Proclamation Amendment Proclamation, 1927 (Proclamation No. 27 of 1927).

Amendment of Section five of Proclamation No. 4 of 1922.

2. Sub-section (3) of section five of the principal law is hereby amended by the insertion between the words "the rate shall not" and the words "exceed the lowest charge", of the words "except with the consent of the Administrator".

Deletion of section six of Proclamation No. 4 of 1922 and substitution of new section.

3. Section six of the principal law is hereby deleted and the following new section substituted therefor:—

"6. A local authority shall have power and authority, subject to and in conformity with the provisions of this law and the regulations made thereunder and of any other law generally or specially applicable to such local authority—

- (a) subject to the Administrator's approval, to purchase land for the purposes of providing for the supply of electricity for public purposes;
- (b) subject to the Administrator's approval, to borrow such sums of money as may be required for the purpose of carrying out any scheme or undertaking or any alteration or extension of any existing scheme for supplying electricity for public purposes, or for the purpose of acquiring the whole or any portion of any existing undertaking;
- (c) to acquire and to sell or let to any consumer of electricity supplied by such local authority, any electrical equipment or appliance required for using such electricity for any purpose for which such electricity may lawfully be supplied."

Short title.

4. This Ordinance may be cited for all purposes as the Electric Power Law Amendment Ordinance, 1929, and shall be read as one with the principal law.

ONTWERPORDONNANSIE

Vir die verdere wysiging van die wet met betrekking tot lewering van elektrisiteit vir openbare doeleindes.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika, as volg:—

1. In hierdie Ordonnansie beteken die uitdrukking "die hoofwet" die "Elektriese Kracht Proklamasie 1922" (Proklamasie No. 4 van 1922), soos gewysig deur die Elektriese Wysigingsproklamasie 1927 (Proklamasie No. 27 van 1927).

Woordbepaling.

2. Onderartikel (3) van artikel vyf van die hoofwet word hierdeur gewysig deur die inlassing na die woorde "berekend word" van die woorde "behalwe met goedkeuring van de Administrateur".

Wysiging van artikel vyf van Proklamasie No. 4 van 1922.

3. Artikel ses van die hoofwet word hierdeur herroep en deur die volgende nuwe artikel vervang:—

Weglating van artikel ses van Proklamasie No. 4 van 1922 en vervanging daarvan deur nuwe artikel.

- "6. Een Plaatselike Overheid is gemagtig en bevoegd, onderworpen aan en in ooreenstemming met die bepalings van deze Wet en de Regulaties daaronder gemaakt en van enige ander wet algemeen of speciaal op sodanige Plaatselike Overheid van toepassing, om—
- (a) onderworpen aan de goedkeuring van de Administrateur, grond te kopen teneinde voorsiening te maken voor de levering van elektriciteit voor openbare doeleinden;
 - (b) onderworpen aan de goedkeuring van de Administrateur, sodanige sommen geld op te nemen als benodigd mogen zijn voor de uitvoering van een schema of onderneming of een verandering of uitbreiding van een bestaande schema voor de levering van elektriciteit voor openbare doeleinden, of teneinde het geheel of een deel van een bestaande onderneming aan te kopen;
 - (c) Elektriese uitrusting of toestellen, benodig by het gebruik van elektriciteit voor enige doel waarvoor sodanige elektriciteit weinig geleverd kan worden, te verkrygen, te verkopen of te verhuur aan verbruikers van sodanige elektriciteit door sodanige Plaatselike Overheid geleverd."

4. Hierdie Ordonnansie kan vir al die doeleindes as die Elektriese Kracht Wet Wysigingsordonnansie 1929 aangehaal word, en word as een met die hoofwet gelees. Kort titel.

DRAFT ORDINANCE

To amend the law relating to Insurance.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

Amendment of section seven of Ordinance No. 12 of 1927.

1. Section *seven* of the Insurance Ordinance, 1927 (Ordinance No. 12 of 1927), is hereby amended—

- (a) by the deletion of the words "or the Union" where those words occur in sub-section (1); and
- (b) by the deletion of the words "five thousand pounds" in the three places where those words occur in that sub-section and the substitution therefor of the words "four thousand pounds".

Short title and date of commencement.

2. This Ordinance may be cited for all purposes as the Insurance Ordinance Amendment Ordinance, 1929, and shall come into force on the first day of April, 1930.

ONTWERPORDONNANSIE

Om die wet met betrekking tot versekering te wysig.

DIT WORD VERORDEN deur die Wetgewende Vergadering vir die Gebied Suidwes-Afrika, as volg:—

1. Artikel *sewe* van die Versekerings-Ordonnansie 1927, (Ordonnansie No. 12 van 1927), word hierdeur gewysig—

- (a) deur weglating van die woorde "of in die Unie" waar daardie woorde in onderartikel (1) voorkom; en
- (b) deur weglating van die woorde "vyfduisend pond" in die drie plekke waar daardie woorde in daardie onderartikel voorkom en die vervanging daarvan deur die woorde "vierduisend pond".

2. Hierdie Ordonnansie kan vir al die doeleindes aangehaal word as die Versekerings-Ordonnansie Wysigingsordonnansie 1929, en tree op die eerste dag van April 1930 in werking.

Wysiging van artikel *sewe* van Ordonnansie No. 12 van 1927.

Kort titel en datum van inwerkingtrading.