CHAPTER cxxiv.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Bangor and Newtownards and the County of Cork United Districts and the Ports of New Ross and Waterford. A.D. 1904.

[22nd July 1904.]

WHEREAS the Local Government Board for Ireland (hereinafter referred to as "the Local Government Board") have made the Provisional Orders set forth in the schedule hereto under the Public Health (Ireland) Acts 1878 to 1896: 41 & 42 Vict. c. 52. 42 & 43 Vict. c. 57. 47 & 48 Vict. c. 77. 52 & 53 Vict. c. 64. 53 & 54 Vict. c. 59. 59 & 60 Vict. c. 54.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

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

1. The Orders as altered and set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 2) Act 1904. Short title.

A.D. 1904.

SCHEDULE.

Bangor and Newtownards.

BANGOR AND NEWTOWNARDS JOINT HOSPITAL DISTRICT.

Provisional Order.

WHEREAS the Bangor Urban District Council the Newtownards Urban District Council and the Newtownards Rural District Council are the sanitary authorities for their respective districts:

And whereas an application has been made to the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") by the said Councils in pursuance of section twelve of the Public Health (Ireland) Act 1878 (in this Order referred to as "the Act") to form a united district and to constitute a joint board for the purpose of providing maintaining and managing a hospital for the reception of small-pox cases for the use of the inhabitants of the districts of the said sanitary authorities:

41 & 42 Vict. c. 52.

And whereas it appears to the Local Government Board that it would be for the advantage of the said sanitary districts that they should be formed into a united district for the purposes and in the manner herein-after provided:

It is ordered by the Local Government Board as follows:—

Commencement of Order.

1. This Order shall come into operation on the date of the Act confirming the same (in this Order referred to as "the appointed day").

Constitution of united district.

2. The Bangor urban district the Newtownards urban district and the Newtownards rural district (which districts are in this Order referred to as "the component districts") shall be formed into a united district to be called "The Bangor and Newtownards Joint Hospital District" in pursuance of section twelve of the Act for the purpose of the provision maintenance and management for the use of the inhabitants of the component districts of a hospital for the reception of cases of small-pox.

Constitution of governing body.

3. The joint board which shall be the governing body of the said united district shall consist of three ex-officio and eight elective members and shall be called "The Bangor and Newtownards Joint Hospital Board" (herein-after referred to as "the joint board").

The chairman for the time being of each of the councils of the component districts (which councils are in this Order referred to as "the component authorities") shall be an ex-officio member.

Two elective members shall be elected annually by each of the urban district councils and four elective members shall be elected annually by the rural district council Each elective member shall at the time of his election be a member of the authority electing him.

Disqualifications.

4. Such of the provisions of article 12 of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.

Incorporation of joint board.

5. The joint board constituted as aforesaid shall be a body corporate by the aforesaid name of "The Bangor and Newtownards Joint Hospital Board" and shall have a perpetual succession and a common seal with power to acquire and hold land for the purposes herein-after mentioned.

First election of elective members.

6. The first election of elective members of the joint board shall take place at a meeting of each of the component authorities to be held within three months after the appointed day or within such further time as the Local Government Board may allow The day on which such meeting shall take place shall be fixed by a resolution of the component authority passed at a previous meeting of the said authority Such resolution may be passed without any previous notice but sufficient time must elapse between the passing of such resolution and the time thereby fixed for the election to enable the clerk to the authority to give notice of the election in the manner following Seven days' previous notice in writing of the time fixed for the election shall be given to each member of the component authority by the clerk to such authority.

Notification of members elected.

7. The clerk to each of the component authorities shall notify in writing to the Local Government Board within seven days after such first election has taken place the names address and occupation of each of the persons elected by such authority as a member of the joiut board.

Annual election.

8. An annual election of elective members of the joint board by the component authorities shall take place at the meeting of each of the said authorities held next after the first day of April in each year after the year one thousand nine hundred and five.

Continuance in office of elective members.

9. Each elective member of the joint board shall continue in office as an elective member until he dies or resigns or becomes disqualified or vacates his seat for absence or until he becomes an ex-officio member of the joint board or until the next annual election of members of the joint board by the component authority by which he has been elected.

Filling casual vacancies.

10. Casual vacancies among the elective members of the joint board shall be filled as follows The component authority by which the member causing the vacancy has been elected shall at a meeting to be held within one month after such vacancy has taken place or within such other period as the Local Government Board may direct (of which meeting seven days' notice in writing shall be given by the clerk to such authority to each member of such authority) elect a member of their body to fill such vacancy and the clerk to

A.D. 1904.

Bangor and Newtownards.

such authority shall forthwith notify in writing to the clerk to the joint board the names address and occupation of the person elected to fill such vacancy.

Meetings of joint board.

11.—(1) The time and place of holding the first meeting of the joint board shall be fixed by the Local Government Board.

(2) An annual meeting of the joint board shall take place in every year on the first Saturday following the day on which the elections of elective members have been completed.

(3) After the said first meeting and after the annual meeting the joint board shall meet at least once in every two months on some day to be fixed at the last preceding meeting of the board and if no such day is fixed then on the first Saturday in every second month succeeding the last preceding meeting.

Chairman and vice-chairman.

12. At the said first meeting and at the annual meeting the members of the joint board shall appoint one of their members chairman and another member vice-chairman of the joint board and such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.

Conduct of business at meetings.

13. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of their number to preside at such meeting until the chairman or vice-chairman takes the chair.

Decision of questions at meetings.

14. Every question at any meeting of the joint board shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there is an equality of votes at the election of chairman or vice-chairman or chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or chairman of the meeting as the case may be.

Vote of chairman.

15. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.

Quorum.

16. At all meetings of the joint board three members shall constitute a quorum.

Appointment of officers.

17. The joint board shall at their first meeting or at any adjournment thereof and thereafter as occasion may require appoint a clerk and a medical officer who shall be a registered medical practitioner and may appoint such additional medical or other officers and servants as they think requisite

They may pay their clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such clerk medical officer and other officer and servant shall be removable by the joint board at their pleasure.

Admissions of patients into hospital.

18. Persons shall be admitted into a hospital provided by the joint board in any of the following modes and not otherwise except with the consent of the component authorities viz :—

(*a*) By an order of the joint board or of any component authority;

(*b*) By an order of a medical superintendent officer of health or medical officer of health of any component authority;

(*c*) By an order of any medical officer appointed by the joint board;

(*d*) By an order of a justice made under the provisions of section one hundred and forty one of the Act with the consent required by that section.

Application of enactments. 59 & 60 Vict. c. 54.

19. For the purposes of this Order sections 139 140 155 156 200 201 (except subsection 3) 202 203 and 204 of the Act and section 8 of the Public Health (Ireland) Act 1896 shall apply and the joint board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of a sanitary authority under the said enactments or otherwise under the enactments of the Public Health (Ireland) Acts 1878 to 1896 in relation to the provision maintenance and management of a hospital so far as the said enactments are applicable.

Saving of powers of component authorities.

20. Until a hospital provided by the joint board is ready for the reception of patients nothing in this Order shall take away abridge or prejudicially affect any power vested in any of the component authorities with regard to the provision of a hospital for the use of the inhabitants of their district.

Notification of section 156 of the Act.

21. A copy of section 156 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital.

Expenses of joint board.

22.—(1) All expenses incurred by the joint board shall be defrayed out of a common fund to which shall be paid the sums received from the component authorities in respect of the cost of maintenance of patients as hereinafter provided and the sums recovered by the joint board from or repaid to the joint board by or for patients.

(2) The common fund so far as the same is not provided by such payments thereto as aforesaid shall be contributed by the component districts in the manner provided by section 235 of the Act and the contribution of each district shall be raised and defrayed by the component authority out of any rate applicable to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896.

Cost of maintenance of patients.

23.—(1) The cost of maintenance of patients shall be ascertained and paid as follows :—

(*a*) Within three weeks after the 31st day of March and the 30th day of September in each year or such other days as the Local

A.D. 1904.

Bangor and Newtownards.

Government Board may direct the joint board shall ascertain the average daily cost per patient of the maintenance of patients who have been in the hospital during the previous half-year;

(*b*) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital and in and about their medical treatment (except so far as the same are included in the salaries of the medical officers and permanent nurses) and in and about the clothing conveyance to and from the hospital burials and funerals of patients and shall also include during any week in which patients may have been in the hospital the remuneration and rations of temporary nurses but shall not include the cost of the repairs to the hospital or to the fittings or furniture thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses.

(2) The clerk to the joint board shall within four weeks after the 31st day of March and 30th day of September in each year or such other days as the Local Government Board may direct transmit to the clerk to each component authority an account showing in respect of the patients received into the hospital from the district of such authority after deducting any sums recovered by the joint board from or repaid to the joint board by or for such patients—

(*a*) The name of each patient;

(*b*) The number of days during such half-year each patient has remained in the hospital; and

(*c*) The amount (calculated according to the daily average ascertained as aforesaid) due from such authority.

(3) The amount shown by such account to be due shall be paid by the component authority from whose district such patients have been received into the hospital and shall be included in the precepts which the joint board issue to the component authorities respectively under section 236 of the Act stating the sums to be contributed by the component authorities towards the common fund of the district and in case of default shall be recovered in like manner as the sums to be contributed towards such common fund.

Inspection of accounts.

24. The accounts of the joint board shall at all reasonable times be open to inspection and transcription without payment by any member of any component authority or by any officer of any component authority authorised by them for that purpose.

Audit.

25. The accounts of the joint board shall be made up in such form and to such days in each year as may be appointed by the Local Government Board and shall be audited by such auditor of the Local Government Board as they may appoint for the purpose The auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local

Government (Ireland) Act 1871 as amended by any enactment and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit The proportion of the salary of the auditor to be paid by the joint board shall be determined by the Local Government Board and shall be paid accordingly to such bank or to such person as that Board may direct. 34 & 35 Vict. c. 109.

Auditor's report to be sent to component authorities.

26. A copy of the auditor's report and of the abstract of the accounts of the joint board when duly audited shall be sent by the joint board to each of the component authorities.

Costs of this Order.

27. All the costs and expenses of the component authorities and of the Local Government Board of and incidental to the application for preparation making and confirmation of this Order shall be paid and contributed by the component authorities in the manner provided by section 235 of the Act.

Power to adapt Order in case of future alterations.

28. If at any time any new district is formed including the whole or any part of any of the component districts or the boundaries of any of the component districts are otherwise altered or the whole or any one of the component districts is created or included in a municipal borough or any repeal or alteration is made in the law affecting the united district or the joint board or any of the component districts or authorities in matters touching their relation to the united district or the joint board then and in every such case the Local Government Board may by order to be published as they may direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and consequences thereof and every such order shall have effect as if the terms thereof were inserted in this Order.

Settlement of differences.

29. If at any time any difference arises between the joint board on the one hand and any component authority on the other hand or between the compouent authorities respecting any matter arising out of the provisions of this Order the same shall be referred to and be decided by the Local Government Board whose decision shall be final.

Short title of Order.

30. This Order may be cited as the Bangor and Newtownards Joint Hospital Order 1904.

Given under our seal of office this twenty-seventh day of April one thousand nine hundred and four.

(L.S.) (Signed) H. A. ROBINSON.

A.D. 1904.

COUNTY OF CORK JOINT HOSPITAL DISTRICT.

Cork.

Provisional Order.

WHEREAS the corporation of the county borough and the district councils of the county districts specified in the schedule to this Order are the sanitary authorities for their respective districts:

41 & 42 Vict. c. 52.

And whereas an application has been made to the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") by the Cork Rural District Council in pursuance of section 12 of the Public Health (Ireland) Act 1878 (in this Order referred to as "the Act") to form a united district and to constitute a joint board for the purposes of the provision maintenance and management for the use of the inhabitants of certain sanitary districts in the county of Cork of a hospital to be used as a sanatorium for consumptives:

And whereas after due inquiry it appears to the Local Government Board that it would be for the advantage of the sanitary districts specified in the schedule to this Order that they should be formed into a united district for the purposes and in the manner herein-after provided:

It is ordered by the Local Government Board as follows:—

Commencement of Order.

1. This Order shall come into operation from and after the date of the Act confirming the same (herein-after referred to as "the appointed day").

Constitution of united district.

2. The county borough and county districts specified in the schedule to this Order (which borough and districts are in this Order referred to as "the component districts") shall be formed into a united district to be called "The County of Cork Joint Hospital District" in pursuance of section twelve of the Act for the purposes of the provision maintenance and management for the use of the inhabitants of the component districts of a hospital to be used as a sanatorium for consumptives.

Constitution of governing body.

3.—(1) The joint board which shall be the governing body of the said united district shall consist of fifty-six elective members and shall be called "The County of Cork Joint Hospital Board" (in this Order referred to as "the joint board").

(2) Each component authority shall elect annually the number of members specified in the second column of the schedule to this Order opposite to the name of the district of that authority Each member shall at the time of his election be a member of the authority electing him.

Disqualifications.

4. Such of the provisions of article 12 of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.

Incorporation of joint board.

5. The joint board constituted as aforesaid shall be a body corporate by the aforesaid name of "The County of Cork Joint Hospital Board" and shall

have a perpetual succession and a common seal with power to acquire and hold land for the purposes herein-after mentioned.

First election of members.

6. The first election of members of the joint board shall take place at a meeting of each of the component authorities to be held within three months after the appointed day or within such further time as the Local Government Board may allow The day on which such meeting shall take place shall be fixed by a resolution of the component authority passed at a previous meeting of the said authority Such resolution may be passed without any previous notice but sufficient time must elapse between the passing of such resolution and the time thereby fixed for the election to enable the clerk to the authority to give notice of the election in the manner following Seven days' previous notice in writing of the time fixed for the election shall be given to each member of the component authority by the clerk to such authority.

Notification of members elected.

7. The clerk to each of the component authorities shall notify in writing to the Local Government Board within seven days after such first election has taken place the names address and occupation of each of the persons elected by such authority as a member of the joint board.

Annual election.

8. An annual election of members of the joint board by the component authorities shall take place at the meeting of each of the said authorities held next after the first day of April in each year after the year one thousand nine hundred and five.

Continuance in office of members.

9. Each member of the joint board shall continue in office until he dies or resigns or becomes disqualified or vacates his seat for absence or until the next annual election of members of the joint board by the component authority by which he has been elected.

Filling casual vacancies.

10. Casual vacancies among the members of the joint board shall be filled as follows The component authority by which the member causing the vacancy has been elected shall at a meeting to be held within one month after such vacancy has taken place or within such other period as the Local Government Board may direct (of which meeting seven days' notice in writing shall be given by the clerk to such authority to each member of such authority) elect a member of their body to fill such vacancy and the clerk to such authority shall forthwith notify in writing to the clerk to the joint board the names address and occupation of the person elected to fill such vacancy.

Meetings of joint board.

11.—(1) The time and place of holding the first meeting of the joint board shall be fixed by the Local Government Board.

(2) An annual meeting of the joint board shall take place in every year on the first Saturday following the day on which the elections of members have been completed.

(3) After the said first meeting and after the annual meeting the joint board shall meet at least once in every three months on some day to be fixed

A.D. 1904.

Cork.

at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every third month.

Chairman and vice-chairman.

12. At the said first meeting and at the annual meeting the members of the joint board shall appoint one of their members chairman and another member vice-chairman of the joint board and such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.

Conduct of business at meetings.

13. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of their number to preside at such meeting until the chairman or vice-chairman takes the chair.

Decision of questions at meetings.

14. Every question at any meeting of the joint board shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there shall be an equality of votes at the election of chairman or vice-chairman or chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or chairman of the meeting as the case may be.

Vote of chairman.

15. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.

Quorum.

16. At all meetings of the joint board fourteen members shall constitute a quorum.

Appointment of officers.

17. The joint board shall at their first meeting or at any adjournment thereof and thereafter as occasion may require appoint a clerk and a medical officer who shall be a registered medical practitioner and may appoint such additional medical or other officers and servants as they think requisite They may pay their clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such clerk medical officer and other officer and servant shall be removable by the joint board at their pleasure.

Managing committee.

18. The joint board shall at their first meeting or at any adjournment thereof and thereafter at their annual meeting appoint out of their members a managing committee for the said hospital and so much of subsections (5) to (9) of Article 36 of the Schedule to the Local Government (Application of Enactments) Order 1898 as relates to committees shall apply with the necessary modifications and in particular with the substitution of the joint board for the Council

Cork.

Admission of patients into hospital.

19. Persons shall be admitted into the hospital in accordance with regulations made subject to the approval of the Local Government Board by the managing committee.

Application of enactments.

20. For the purposes of this Order sections 139 140 155 156 200 201 (except subsection 3) 202 203 and 204 of the Act and section 8 of the Public Health (Ireland) Act 1896 shall apply and the joint board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of a sanitary authority under the said enactments or otherwise under the enactments of the Public Health (Ireland) Acts 1878 to 1896 in relation to the provision maintenance and management of a hospital so far as the said enactments are applicable.

Saving of powers of component authorities.

21. Until a hospital provided by the joint board is ready for the reception of patients nothing in this Order shall take away abridge or prejudicially affect any power vested in any component authority with regard to the provision of a hospital for the use of the inhabitants of their district.

Notification of section 156 of the Act.

22. A copy of section 156 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital.

Expenses of joint board.

23.—(1) All expenses incurred by the joint board shall be defrayed out of a common fund to which shall be paid the sums recovered by the joint board from or repaid to the joint board by or for patients.

(2) The common fund so far as the same is not provided by such payments thereto as aforesaid shall be contributed by the component districts in the manner provided by section 235 of the Act and the contribution of each district shall be raised and defrayed by the component authority out of any rate applicable to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896 Provided that the amount to be contributed by each component district shall not in any one year exceed a sum which could be raised by a rate of one penny in the pound on the rateable value of the property in the district.

Inspection of accounts.

24. The accounts of the joint board shall at all reasonable times be open to inspection and transcription without payment by any member of any component authority or by any officer of any such authority authorised by them for that purpose.

Audit.

25. The accounts of the joint board shall be made up in such form and to such days in every year as may be appointed by the Local Government Board and shall be audited by such auditor of the said Board as they may appoint for the purpose The auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by any enactment and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit The proportion of the salary of the auditor to be paid by the joint board shall be determined by

A.D. 1904.

Cork.

the Local Government Board and shall be paid accordingly to such bank or person as that Board may direct.

Auditor's report to be sent to component authorities.

26. A copy of the auditor's report and of the abstract of the accounts of the joint board when duly audited shall be sent by the joint board to each of the component authorities.

Costs of this Order.

27. All the costs charges and expenses of the component authorities and of the Local Government Board of and incidental to the application for preparation making and confirmation of this Order shall be contributed by the component authorities in the manner provided by section 235 of the Act.

Power to adapt Order in case of future alterations.

28. If at any time any new district is formed including the whole or any part of any of the component districts or the boundaries of any of the component districts are otherwise altered or the whole or any part of any component district is created or included in a municipal borough or any repeal or alteration is made in the law affecting the united district or the joint board or any of the component districts or authorities in matters touching their relation to the united district or the joint board then and in every such case the Local Government Board may by order to be published as they may direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and consequences thereof and every such order shall have effect as if the terms thereof were inserted in this Order.

Settlement of differences.

29. If at any time any difference arises between the joint board on the one hand and any component authority on the other hand or between the component authorities respecting any matter arising out of the provisions of this Order the same shall be referred to and be decided by the Local Government Board whose decision shall be final.

Short title of Order.

30. This Order may be cited as the Cork Sanatorium for Consumptives Order 1904.

SCHEDULE.

District.		Representation.
County Borough of Cork		7
Bandon Rural District		3
Bantry	ditto	1
Castletown	ditto	1
Charleville	ditto	1
Clonakilty	ditto	2
Cork	ditto	7
Dunmanway	ditto	1
Fermoy	ditto	4
Kanturk	ditto	3
Kinsale	ditto	2
Macroom	ditto	2
Mallow	ditto	4
Midleton	ditto	3
Millstreet	ditto	1
Mitchelstown No. 1 Rural District		1
Skibbereen Rural District		2
Skull	ditto	1
Youghal No. 1 Rural District		1
Clonakilty Urban District		1
Fermoy	ditto	1
Kinsale	ditto	1
Macroom	ditto	1
Mallow	ditto	1
Midleton	ditto	1
Queenstown	ditto	1
Skibbereen	ditto	1
Youghal	ditto	1
		56

Given under our seal of office this twenty-fifth day of April one thousand nine hundred and four.

(L.S.) (Signed) H. A. Robinson.

A.D. 1904.

WATERFORD AND NEW ROSS PORT SANITARY AUTHORITY.

Waterford and New Ross.

Provisional Order.

WHEREAS the Ports of Waterford and New Ross are ports established for the purposes of the laws relating to the customs of the United Kingdom:

And whereas the county borough of Waterford is an urban sanitary district and the Mayor Aldermen and Burgesses of the said county borough acting by the council (in this Order referred to as "the Corporation of Waterford") are a sanitary authority having jurisdiction within part of the said ports:

And whereas each of the county districts mentioned in the first column of the schedule hereto is a sanitary district and each of the councils of the said districts is a sanitary authority having jurisdiction within part of the said ports:

And whereas after inquiry it appears proper to Us the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") to permanently constitute a port sanitary authority for parts of the said ports by forming a joint board consisting of representative members of all of the said sanitary authorities (in this Order referred to as "the component authorities"):

It is ordered by the Local Government Board as follows:—

Commencement of Order.

1. This Order shall come into operation on the date of the Act confirming the same (in this Order referred to as "the appointed day").

Formation of joint board.

2. A joint board shall be formed as herein-after mentioned and shall be permanently constituted the port sanitary authority for the parts of the said ports of Waterford and New Ross herein-after described.

Constitution of joint board.

3. The joint board shall be a body corporate by the name of "The Waterford and New Ross Port Sanitary Authority" and shall have a perpetual succession and a common seal and shall consist of fifteen members to be elected by the respective component authorities from among the persons who at the time of such election are members of their own bodies and the said authorities shall elect respectively the number of members specified in the second column of the schedule hereto.

First election of members of joint board.

4. The first election of members of the joint board shall take place at a meeting duly convened of each of the component authorities held within three months after the appointed day or within such further time as the Local Government Board may allow.

Notification of members elected.

5. The clerk to each of the component authorities shall notify the Local Government Board in writing within seven days after such first election has taken place the names address and occupation of each person elected by such authority as a member of the joint board.

Date of commencement of office.

6. The several members of the joint board shall go out of office and their successors shall come into office on the first day of April in each year provided that the members of the joint board elected at the first election shall continue in office until the first day of April one thousand nine hundred and six The election in each year of members for the ensuing period of office by any component authority shall take place at a meeting of such authority held within the month next preceding such date or at such meeting as the Local Government Board may appoint.

Duration of office.

7. Every member of the joint board shall continue in office until the day on which the several members of the joint board go out of office as provided by Article six of this Order or until he dies or resigns or becomes disqualified for holding office or vacates his seat for absence.

Casual vacancies.

8. Casual vacancies among the members of the joint board shall be filled as follows The component authority by which the member causing the vacancy was elected shall at a meeting to be held within one month after such vacancy has taken place or within such further period as the Local Government Board may direct (of which meeting seven days' notice in writing shall be given by the clerk to such authority to each member of such authority) elect a member of their body to fill such vacancy and the clerk to such authority shall forthwith notify in writing to the clerk to the joint board the names address and occupation of the person elected to fill such vacancy.

Disqualifications.

9. Such of the provisions of Article twelve of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.

Meetings of joint board.

10.—(1) The time and place of holding the first meeting of the joint board shall be fixed by the Local Government Board.

(2) An annual meeting of the joint board shall take place in every year except the year One thousand nine hundred and five on the first Saturday following the first day of April or if that day be Saturday then on that day.

(3) After the said first meeting and after the annual meeting the subsequent ordinary meetings of the joint board shall be held at such times and places as the joint board may appoint Provided that an extraordinary meeting shall be summoned by the clerk to the joint board when a requisition for that purpose is addressed to him by the chairman or any three members of the joint board Such requisition shall be in writing and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

(4) Notices of all meetings of the joint board shall be delivered or sent by post so as to reach the last known place of abode or business of each member of the joint board in the case of an ordinary meeting two clear days before the day of such meeting and in the case of an extraordinary meeting

A.D. 1904.

Waterford and New Ross.

one clear day before the day of such meeting or in either case at such earlier time as the joint board may direct.

Chairman and vice-chairman.

11. At the said first meeting and at the annual meeting the members of the joint board shall appoint one of their members chairman and another member vice-chairman of the joint board Such chairman and vice-chairman shall hold office until the next annual appointment of chairman or vice-chairman unless he has previously died resigned or otherwise ceased to be a member of the joint board In the event of the death or resignation of such chairman or vice-chairman or of his otherwise ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.

Conduct of business at meetings.

12. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of the meeting the chairman and vice-chairman are both absent the members of the board who are present shall elect one of their number to preside at such meeting until the chairman or vice-chairman takes the chair.

Decision of questions at meetings.

13. Every question at any meeting of the joint board shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there is an equality of votes at the election of chairman or vice-chairman or the chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or chairman of the meeting as the case may be.

Vote of chairman.

14. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to an additional or casting vote.

Quorum.

15. At all meetings of the joint board five members shall constitute a quorum.

Sanitary officers.

16. The joint board shall appoint a medical officer of health and such other sanitary officers (if any) as the Local Government Board may direct with such salary in each case as the joint board with the approval of the Local Government Board may determine and the Local Government Board shall assign to the medical officer of health and to the other sanitary officers (if any) their respective duties and functions The Local Government Board shall have the same powers with regard to the qualifications appointment duties regulation of salary and tenure of office of every sanitary officer as they have in the case of the medical officer of a dispensary district.

Offices clerk &c.

17. The joint board may provide and maintain such offices as may be necessary for transacting their business or may pay such sums as they think proper for the use of offices for such purpose They may also in addition to the officers mentioned in the last preceding article appoint and employ a clerk and such other officers and servants as may be necessary and proper for

the efficient transaction of their business and may pay such clerk officers and servants such reasonable remuneration salaries and wages as they may think proper and every clerk officer and servant appointed or employed in pursuance of this article shall be removable by the joint board at their pleasure.

Limits of jurisdiction.

18. The jurisdiction of the port sanitary authority shall extend to the whole of those parts of the customs ports of Waterford and New Ross which lie between Great Newtown Head in the county of Waterford and Hook Head in the county of Wexford together with the waters of the said ports within such limits and all docks basins harbours creeks rivers channels bays and streams within the aforesaid limits and the places for the time being appointed as the customs boarding station or stations for such parts of the said ports and the places for the time being appointed for the mooring or anchoring of ships for such parts of the said ports under any regulations for the prevention of the spread of diseases issued under the authority of the statutes in that behalf.

Assignment of powers &c.
41 & 42 Vict. c. 52.
59 & 60 Vict. c. 54.
53 & 54 Vict. c. 34.

19. For the purposes of this Order the sections specified in this article of the Public Health (Ireland) Act 1878 and of the Public Health (Ireland) Act 1896 and also the Infectious Disease (Prevention) Act 1890 shall apply and the port sanitary authority shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of a sanitary authority or district council under the said sections and under the said Act of 1890 so far as those sections and the said Act of 1890 are applicable to the waters within the jurisdiction of the port sanitary authority or to ships coming or being within the said jurisdiction or to persons upon any such ship or brought by any such ship within the said jurisdiction or to goods or things upon any such ship or to goods or things landed from any such ship and being within the said jurisdiction which in the opinion of the port sanitary authority or their medical officer of health require to be disinfected or destroyed namely :--

Of the Public Health (Ireland) Act 1878 :— 41 & 42 Vict. c. 52.

Section 13 (except so far as it provides for there being ex-officio members) relating to joint boards.

Sections 107 to 127 relating to nuisances.

Sections 137 to 145 and section 148 relating to infectious diseases.

Sections 149 150 (as amended by the Local Government (Ireland) Act 1898 and adapted by the Local Government (Adaptation of Irish Enactments) Order 1899) 151 (as adapted by the Local Government (Adaptation of Irish Enactments) Order 1899) 152 153 (as adapted by the Local Government (Adaptation of Irish Enactments) Order 1899) 154 to 156 relating to the prevention of the spread of infectious diseases and hospitals. 61 & 62 Vict. c. 37.

Sections 157 and 158 relating to mortuaries.

Sections 200 and 201 relating to contracts.

A.D. 1904.

Waterford and New Ross.

Sections 202 203 (as amended by the Public Health (Ireland) Act 1896) and 204 relating to purchase of lands.

Section 208 relating to powers of inspectors of the Local Government Board.

Section 215 relating to costs of Provisional Orders.

Sections 216 217 (as amended by the Public Health (Ireland) Act 1896) and 218 relating to arbitration.

Sections 219 to 223 and section 225 relating to byelaws.

Sections 237 to 243 relating to borrowing.

Sections 249 to 262 and sections 264 to 269 relating to legal proceedings and notices.

Sections 271 to 274 relating to miscellaneous provisions.

Sections 281 282 and 283 being saving clauses.

59 & 60 Vict. c. 54.

Of the Public Health (Ireland) Act 1896 :—

Section 2 relating to works in adjoining districts.

Section 15 relating to defaulting authorities.

Provided as follows :—

(1) Nothing in this Order contained shall affect the powers of any sanitary authority except as to such waters ships persons and things as above mentioned :

(2) In this article the term "ship" includes vessel or boat.

Expenses of joint board.

20.—(1) Unless and until the Local Government Board otherwise direct by order under seal all expenses incurred by the port sanitary authority in the execution of this Order shall be defrayed out of a common fund to be contributed by the component authorities in the proportions specified in the third column of the schedule hereto.

(2) The contributions of the county borough of Waterford and the urban district of New Ross shall be defrayed out of any rate applicable by the council of that borough or urban district as the case may be to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896.

(3) The contribution of each of the rural districts shall be included by the council of the district in their annual estimate and in their demand to be forwarded to the council of the county comprising the district in accordance with section 51 of the Local Government (Ireland) Act 1898.

Payment of contributions.

59 & 60 Vict. c. 54.

21. The port sanitary authority for the purpose of obtaining payment of sums to be contributed as aforesaid by the component authorities shall have all the powers conferred in that behalf by section 13 of the Public Health (Ireland) Act 1896 on a port sanitary authority constituted temporarily.

Inspection of accounts.

22. The accounts of the port sanitary authority shall at all reasonable times be open without payment to inspection and transcription by any

member of any component authority or by any officer of any component authority authorised by them for that purpose.

Audit.

23. The accounts of the port sanitary authority shall be made up in such form and to such day or days in each year as may be appointed by the Local Government Board and shall be audited by such auditor of the said Board as they may appoint for the purpose The auditor so appointed shall with respect to the accounts of the port sanitary authority have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by any enactment and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit The proportion of the salary of the auditor to be charged in respect of the audit of the accounts of the port sanitary authority shall be ascertained and determined by the Local Government Board and shall be paid accordingly to such bank or person as that Board may direct.

34 & 35 Vict. c. 109.

Auditor's report to be sent to component authorities.

24. A copy of the auditor's report and of the abstract of the accounts of the port sanitary authority when duly audited shall be sent by the port sanitary authority to each of the component authorities.

Vesting of Passage Hospital in port sanitary authority.

25. The Passage Intercepting Hospital and all appurtenances thereof shall pass to and vest in the port sanitary authority subject to any liabilities affecting the same and shall be held by that authority for the purposes of this Order.

Settlement of differences.

26. If at any time any difference arises between the port sanitary authority on the one hand and any component authority on the other hand or between any two or more component authorities respecting any matter arising out of the provisions of this Order the same shall be referred to and be settled by arbitration in the manner provided by the Public Health (Ireland) Acts 1878 to 1896.

Costs of Order.

27. All costs and expenses incurred by the Local Government Board in relation to the application for preparation making and confirmation of this Order shall be deemed to be and be defrayed as expenses incurred by the port sanitary authority in the execution of this Order and shall be paid by the port sanitary authority to the Local Government Board.

Short title of Order.

28. This Order may be cited as the Waterford and New Ross Port Sanitary Order 1904.

A.D. 1904.

Waterford and New Ross.

SCHEDULE.

Sanitary Districts.	Number of Representatives on Joint Board.	Proportion of Contribution to Expenses.
The County Borough of Waterford - - -	9	70 per cent.
The Rural District of Waterford (No. 1) - -	2	10 „
The Rural District of New Ross - - - -	2	10 „
The Rural District of Waterford (No. 2) - -	1	5 „
The Urban District of New Ross - - -	1	5 „

Given under our seal of office this eighteenth day of April one thousand nine hundred and four.

(L.S.) (Signed) H. A. ROBINSON.

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