CHAPTER 30.

An Act to make further Provision with respect to the Relief of Pauper Children in Ireland, and for other purposes connected therewith. [2nd August 1898.]

BE it enacted by the Queen'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:

Provision for relief of children out of workhouses.

1.—(1.) The board of guardians of any poor law union may, if they think fit, subject to the regulations of the Local Government Board, provide for the relief of any orphan or deserted child out of a workhouse, by placing such child out at nurse or boarding it out according to their discretion, and also may at any time withdraw such child from the care of the person with whom it has been placed out at nurse or boarded out: Provided that no child shall be placed out at nurse or boarded out with any person who does not profess the same religion as that in which the child was registered.

(2.) The Local Government Board shall make regulations with respect to all or any of the matters following (that is to say):—

(*a.*) The age up to and conditions under which children may be placed out at nurse or boarded out, whether within or outside the limits of the union;

(*b.*) The form of contract to be entered into by boards of guardians for the purposes of this section;

(*c.*) The expenses of conveying children to and from the houses in which they are placed out at nurse or boarded out;

(*d.*) The attendance of children at divine worship and school;

(*e.*) The supervision and visitation of children placed out at nurse, boarded out, or placed out at service; and

(*f.*) Generally with respect to all such matters as the Local Government Board think proper.

(3.) If the Local Government Board are of opinion that any child placed out at nurse, boarded out, or placed out at service, should be removed from the care of its foster parent, or the person with whom it is boarded out, or placed out at service, the board of guardians shall at any time, upon the requisition of the Local Government Board, cause the child to be removed accordingly, and brought back to the workhouse, and in such case any agreement to the contrary shall from the date of such removal become void.

(4.) Any person failing or refusing to deliver up a child when required to do so pursuant to this section, shall be liable, on conviction before a court of summary jurisdiction, to a penalty of forty shillings; and the court shall, upon such conviction, order the child to be taken out of the custody of such person and handed over to the custody of the board of guardians.

(5.) A board of guardians may, with the consent of the Local Government Board, in the case of any orphan or deserted child having reached the age of fifteen years, and having obtained

such certificate of proficiency in reading, writing, and elementary arithmetic as is mentioned in the Second Schedule to the Irish Education Act, 1892, pay such fee as may be requisite to place the child in some suitable trade or business.

55 & 56 Vict. c. 42.

Power to provide for teaching of children at national schools.

2. Where there is a national school within two miles by the nearest road of the workhouse of a poor law union the board of guardians of the union may, subject to the approval of the Local Government Board and the manager of the school, provide for the teaching of children relieved in the workhouse of the union at such school: Provided that a child shall not, without the consent of a chaplain of the workhouse of the religious persuasion in which the child was brought up, be sent to a national school the manager of which is not of the same persuasion.

Power to send pauper children to certified schools.

3.—(1.) The Local Government Board may, if they think fit, upon the application in writing of the managers of any school, other than a national school, appoint a fit person to examine into the condition of the school, and to report to them thereon; and if satisfied with such report, the Board may, by writing under the hand of their secretary or assistant secretary, certify as to the fitness of such school for the reception of such children as may be sent there under this section, and as to the number of children that may be received in such school, and the Board, if at any time they are dissatisfied with the condition or management of such school, may, by notice addressed to the managers of such school, and signed as aforesaid, declare that the certificate is withdrawn from and after a day to be specified therein, being not less than two months after the date thereof.

(2.) The board of guardians of any poor law union may, with the sanction of the Local Government Board, send any child relieved in the workhouse of such union to any school certified under this section, the managers of which are willing to receive the child, and the guardians may, out of any funds in their hands, pay the expenses incurred in the maintenance, clothing, and education of the child at such school (not exceeding such annual amount as may be prescribed), and in the conveyance of such child to and from the same, and, in the case of death, the expenses of its burial.

(3.) If the Local Government Board are of opinion that any person is aggrieved by any child being so sent or kept at such school as aforesaid, the Board may order the child to be removed, and the board of guardians shall forthwith cause the child to be removed from the school; and any engagement entered into for the payment of any expenses in the case of such child which might otherwise have been incurred shall, from the date of such removal, become void.

(4.) Every school certified under this section shall be open to the visitation and inspection of any inspector appointed by the Local Government Board; and such inspector may make any examination into the state and management of the school, and the condition and treatment of the children therein, which he may deem requisite,

and shall report the results of any such examination to the Local Government Board; and the board of guardians by whom any child is sent to any such school may appoint any one of their body to visit and inspect the school, and the school shall at all reasonable times be open to such visitation and inspection.

(5.) A board of guardians by whom a child has been sent to any such school may at any time, at their discretion, and shall, upon the requisition of the managers of the school, or upon the withdrawal of the certificate of the school, cause any such child to be removed from the school, and brought back to their union.

(6.) No child shall be sent to such school unless he or she is an orphan, or deserted by his or her parents or surviving parent, or is a child whose parents or surviving parent consent to the sending of such child to the school, or, if illegitimate, whose mother, if she has the care, custody, or possession of the child, so consents.

(7.) No child, not being an orphan or deserted, shall be kept in any such school unless its parents or surviving parent are inmates of the workhouse.

(8.) The expenses incurred by a board of guardians in respect of any child sent to any such school under this section shall be charged to the same fund and in the same manner as the relief otherwise supplied to such child would be charged.

(9.) No child shall be sent under this section to any school which is conducted on the principles of a religious denomination to which such child does not belong.

(10.) The word "school" in this section shall extend to any institution established for the instruction of blind, deaf, dumb, lame, deformed, or idiotic persons, but shall not extend to a certified reformatory school.

Restriction as to employment of pauper children.

4.—(1.) No person shall take into his employment for any purpose any child being relieved in the workhouse of any union, or subject to the control of the board of guardians of any union, and being under the age of twelve years, and any person acting in contravention of this section shall be liable on conviction before a court of summary jurisdiction to a fine not exceeding five pounds.

(2.) Where the age of any child is required to be ascertained for the purposes of this Act, any person, on presenting a written requisition in such form and containing such particulars as may be prescribed, shall be entitled to obtain a certified copy, under the hand of the registrar or superintendent registrar, of the entry in the register under the Births and Deaths Registration Acts (Ireland), 1863 to 1880, of the birth of the child named in the requisition.

Short title and construction.

5. This Act may be cited as the Pauper Children (Ireland) Act, 1898, and, save where inconsistent therewith, shall be construed as one with the Poor Relief (Ireland) Acts, 1838 to 1892.

Repeal.

6. The Pauper Children (Ireland) Act, 1876, is hereby repealed.