

THE STATUTES OF THE REPUBLIC OF SINGAPORE

KWONG-WAI-SHIU HOSPITAL ORDINANCE

(CHAPTER 366)

**1955 Ed. Cap. 143
Ordinance
16 of 1910**

Amended by
40 of 1919
14 of 1925
28 of 1958
62 of 1959

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Kwong-Wai-Shiu Hospital Ordinance

ARRANGEMENT OF SECTIONS

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An Ordinance to incorporate the Kwong-Wai-Shiu Free Hospital.

[10th June 1910]*

1. This Ordinance may be cited as the Kwong-Wai-Shiu Short title.
Hospital Ordinance.

*But see preamble to Ordinance 40 of 1919.

Note: This private Ordinance is reproduced in the form it appears in the 1955 Revised Edition.

Society
incorporated.

2. The persons and firms whose names are inscribed in the Register of Members hereinafter mentioned shall be a body corporate under the name of "The Kwong-Wai-Shiu Free Hospital", hereinafter called the corporation, and by that name shall and may sue and be sued in any of the Courts of the Colony, and shall have perpetual succession and a common seal.

Powers.

3. The corporation may acquire, purchase, lease, take, hold and enjoy movable and immovable property of every description, and may erect buildings on or otherwise develop or improve any immovable property vested in the corporation, and subject as hereinafter provided may sell, convey, assign, surrender, and yield up, mortgage, demise, reassign, transfer or otherwise dispose of any movable and immovable property vested in the corporation upon such terms as to the corporation seems fit.

General
purposes.

4.—(1) The objects and general purposes of the corporation are —

- (a) to establish and maintain a free public hospital for the treatment and maintenance of indigent persons connected with the Kwong-Chau, Wai-Chau and Shiu-heng prefectures of the Canton Province of China;
- (b) to establish and maintain maternity and midwifery wards for such indigent persons;
- (c) to provide medical and other assistance outside such hospital or wards for such indigent persons;
- (d) to erect buildings on or otherwise develop or improve any immovable property vested in the corporation,

and the funds of the corporation shall be used for no other purpose.

(2) Such hospital and wards shall be open to inspection at all times by the Secretary for Chinese Affairs and by the Director of Medical Services and by officers deputed by them respectively.

Manage-
ment.
28/58.

5. The affairs of the Corporation shall be managed by seven trustees, of whom one shall be President, and by a committee of sixty members, of whom seven shall be the trustees.

6.—(1) All the moneys subscribed for the purpose of founding the said Kwong-Wai-Shiu Free Hospital, and all property movable or immovable purchased with such moneys shall be vested in the corporation, and the same and all subscriptions and donations to the said hospital or to the corporation received, or to be received, shall be held by the trustees in trust for the purposes in this Ordinance declared.

Property
vested in
corporation.

(2) The trustees shall not sell, exchange, mortgage, or otherwise alienate or encumber any immovable property without the leave of the High Court: Provided always that no application to the High Court shall be made without a resolution being first passed at a meeting of the committee held for such purpose.

May not
sell or
mortgage
without
leave of
court.

(3) Such leave shall be applied for by petition addressed to the court, setting out the facts and reasons for which the said body corporate desires to sell, exchange or mortgage, or otherwise alienate or encumber the lands, and praying for a decree of the court as in a suit relating to charities.

Petition
to court.

(4) A copy of every such petition shall be served on the Attorney-General a reasonable time before the hearing of the petition.

Copy to
Attorney-
General.

(5) The Attorney General may oppose the prayer of the petition, and if, after hearing him, the court is of opinion that it will be for the general advantage of the hospital, and the people for whose benefit the hospital is maintained, to grant the prayer of the petition, the court may make a decree to that effect.

Decree by
court.
62/59.

(6) The application to the court and the decree of the court shall be set out on the face of the assignment, mortgage, or other assurance of the lands to be given to the purchaser, mortgagee or other person.

(7) Any lands so sold, exchanged or otherwise alienated, except by way of mortgage, shall be held by the purchaser or person exchanging or otherwise taking the land free of the trusts imposed under this Ordinance.

(8) In the event of the discontinuance or closing of the hospital by reason of the want of sufficient funds or support, or for other reasons, all the funds and other property, movable or immovable, and assets of the corporation shall be liquidated, distributed or applied for the benefit of

Application
of assets on
discon-
tinuance
of hospital.

indigent persons connected with the Kwong-Chau, Wai-Chau and Shiu-heng prefectures of the Canton Province of China in such manner as is decided by a resolution to be approved and passed by the majority of members present at a special general meeting to be convened for such purpose and to be confirmed by the Minister.

Control
of capital
funds.

7.—(1) Subject to this Ordinance, the trustees shall have sole control of the capital funds of the corporation.

Deeds, etc.,
to be sealed.

(2) All deeds, documents and other instruments requiring the seal of the corporation shall be sealed with the seal of the corporation in the presence of the President and of another trustee.

(3) The signature of the President and of another trustee shall be taken as sufficient evidence of the due sealing of such deeds, documents and other instruments.

Powers of
committee.

8. Subject to this Ordinance, the committee shall have full power to expend the income derived from the immovable property and capital funds of the corporation, and to govern, direct and decide all matters whatsoever connected with the appointment of officers and servants to be paid out of the funds of the corporation, and for the administration of the affairs of the corporation and the accomplishment of the objects and purposes thereof.

Register of
Members.

9.—(1) The committee shall cause to be kept a Register of Members of the corporation, in which shall be inscribed the names of all donors to the funds of the Kwong-Wai-Shiu Free Hospital of a sum of not less than ten dollars.

Voting by
members.

- (2) At any meeting of the members of the corporation —
- (a) every member whose name is inscribed in the register shall be entitled to one vote; and
 - (b) every firm whose name is inscribed in the register as a donor shall be entitled to be represented by one representative, who shall have one vote only.

Office to
be held for
one year.

10.—(1) The President, trustees and members of the committee shall hold office for one year.

(2) Any one of them who is absent from Singapore for three consecutive months shall, unless a resolution is passed

by the committee to the contrary, be held to have vacated his office.

11. The trustees may appoint one of their number to act as President during any absence of the President from Singapore, or in case of his death, resignation, inability or incapacity to act.

Temporary vacancies, how filled. President.

12. The committee may appoint one of their number to act as trustee during any absence from Singapore of any trustee, or in case of the death, resignation, inability or incapacity to act of any trustee, and may appoint any member of the corporation to act as a member of the committee during the absence from Singapore of any member of the committee, or in case of the death, resignation, inability or incapacity to act of any member of the committee.

Acting trustees.

Acting member of committee.

13. Any person appointed to act under section 11 or 12 shall hold office until the return to Singapore of the person for whom he is acting, provided that such person for whom he is acting has not vacated his office under section 10, but shall cease to hold office on the date of the first annual meeting hereinafter prescribed held after his appointment.

Period of office of acting officers.

14. The committee shall cause proper books of account to be kept, which shall be open at all reasonable times to inspection by all members of the corporation, and by the Secretary for Chinese Affairs.

Books of account to be kept.

15.—(1) Not later than the first day of the third Chinese moon in each year, the committee shall cause to be prepared a true statement of the accounts and liabilities of the corporation, and an account of their receipts and disbursements during the previous Chinese year.

Annual statement of account.

(2) Such statement and account shall be printed and circulated to members of the corporation, and a copy shall be sent to the Secretary for Chinese Affairs.

16.—(1) Every year the committee shall, by previous notice of not less than fourteen days, call a meeting of all members of the corporation to be held not later than the fifteenth day of the third Chinese moon, and shall lay before them the statement and account mentioned in section 15.

Annual meeting.

Vacancies
to be filled.

(2) All vacancies whether arising from expiry of term of office or otherwise in the offices of President, trustees and members of the committee shall be filled by majority of the votes of members of the corporation present at such meeting.

Period of
office.

(3) All persons so elected shall, subject to this Ordinance, hold office for a period of one year from the date of the meeting at which they were appointed.

Questions.

(4) Any member present at such meeting shall be entitled to ask any question concerning the management of the affairs of the corporation.

Adjourn-
ment.

(5) Such meeting may by a majority of votes be adjourned to any future day.

Quorum.

(6) Twenty members shall form a quorum at such meeting.

Special
general
meeting.

17. Upon the receipt of a requisition signed by ten members of the corporation requiring the summoning of a general meeting of members of the corporation to discuss any specified matter, the committee shall, by public notice of not less than seven days, summon such meeting.

Rights of
Secretary
for Chinese
Affairs.

18. The Secretary for Chinese Affairs shall be entitled to be present in person or by deputy at any meeting of members of the corporation, and to make to such meeting any communication which he thinks fit.

Rules.

19.—(1) The committee may make rules, subject to the approval of the Minister, not inconsistent with this Ordinance —

- (a) to regulate the conduct of the duties of the committee and their procedure in the transaction of business;
- (b) for the appointment of sub-committees;
- (c) to allocate duties to and to regulate the exercise of executive power by the President, the committee, sub-committees, and the officers of the corporation;
- (d) to regulate the keeping and presentation of accounts;
- (e) to regulate the conduct of the hospital, including the maternity and midwifery wards, the

admission, treatment and discharge of patients, the nature of the cases to be treated therein, and the keeping of a record thereof;

- (f) to regulate the provision of medical and other assistance to persons outside the hospital, and the keeping of a record thereof;
- (g) to regulate the appointment, conduct and dismissal of officers and servants of the corporation; and
- (h) generally to carry out this Ordinance.

(2) A certified copy of all such rules shall be furnished to the Secretary for Chinese Affairs.

20. Every act or proceeding purporting to have been done or taken under the powers conferred by the Kwong-Wai-Shiu Free Hospital Ordinance, 1910, and every acquisition, purchase, lease, sale, conveyance, assignment, mortgage, demise, reassignment, transfer or disposition of property, movable or immovable, purporting to have been made under the powers conferred by the said Ordinance shall be and be deemed to have been at all times and for all purposes as valid and effectual as if at the time of such act, proceeding, acquisition, purchase, lease, sale, conveyance, assignment, mortgage, demise, reassignment, transfer or disposition the said Ordinance had been in operation.

Validation
of
proceedings.

21. Nothing in this Ordinance shall affect the rights of Her Majesty the Queen, Her Heirs and Successors, all bodies politic and corporate, and all others except such as are expressly mentioned in this Ordinance, and those claiming by, from or under them.

Saving of
Crown and
and other
rights.
28/58.