

THE POOR RELIEF ACT

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SCHEDULE

THE POOR RELIEF ACT

[29th April, 1886.]

Cap. 299.
Law
15 of 1959.
Acts
11 of 1964
S. 2 (3),
42 of 1969
3rd Sch.
28 of 1973.

1. This Act may be cited as the Poor Relief Act.

Short title.

2. All references in this Act to the Parish Council shall, in the cases of the parishes of Kingston and Saint Andrew, be deemed to refer to and to include the Kingston and St. Andrew Corporation, appointed and constituted under the Kingston and St. Andrew Corporation Act.

Inclusion of
Kingston
and
St. Andrew
Corporation.

3. In this Act—

“Inspector” means the Inspector of the Poor appointed under this Act.

Interpreta-
tion.

Board of Supervision

4.—(1) A Board of Supervision which shall be styled “The Board of Supervision for the Relief of the Poor in Jamaica” shall be and is hereby established for the purposes of this Act. The said Board shall consist of nine members, only three of whom shall be persons holding any office of emolument under the Government, all of whom it shall be lawful for the Minister by minute to appoint or remove. The Minister may supply any vacancy which may occur in the said Board by resignation, removal, death or otherwise, of the said members or any of them, and may also from time to time appoint some person to be a member of the Board during the absence from the Island, illness or other incapacity of any member.

Board of
Supervision
established.

The Board shall elect its own Chairman and may sit from time to time and at such places as it may deem expedient:

[The inclusion of this page is authorized by L.N. 480/1973]

POOR RELIEF

Provided always that the Mayor or a councillor of the Council of the Kingston and St. Andrew Corporation, or a councillor of any Parish Council shall not be eligible for election as Chairman although a member of the Board of Supervision, nor shall any such person sit as a member of the Board of Supervision on any investigation of a complaint referred to that Board by or against the Corporation or Parish Council of which that person is a member.

Four members of the Board of Supervision shall form a quorum.

In the absence of the Chairman the members present at any meeting shall elect one of their number to preside thereat.

The Chairman or other presiding member shall have an original and, in the event of an equality of votes, a casting vote.

(2) Notwithstanding any temporary vacancy or vacancies in the body of members composing the Board the same shall be deemed to be fully constituted for the purposes of this Act.

Members of Board to derive no emolument.

5. The members of the said Board shall derive no profit or emolument whatever for the discharge of the duties of their office, and shall not be personally responsible for anything done *bona fide* in the execution of this Act, or in the exercise of the powers therein contained :

Their expenses to be paid.

Provided always that any necessary expenses incurred by the Board, or by members or a member thereof, or any committee authorized or appointed by the Board as hereinafter provided, shall be deemed to be part of the incidental expenses attending the execution of this Act and be paid accordingly; and an account of all expenses of the said Board shall be annually laid before the House of Representatives.

6. It shall be lawful for the Governor-General to appoint a fit person to be Secretary to the said Board, and to supply any vacancy which may occur in the said office of Secretary; and it shall be lawful for the said Board to assign to such Secretary the execution and performance of all such duties under this or any future enactment as the said Board may think fit.

Secretary to the Board.

7.—(1) The said Board of Supervision shall hold four general meetings in each year, on the first Thursday of January, of April, of July and of October, or within twenty days after any of such fixed dates; and the said Board shall have power to adjourn from time to time for such time and to such place as it shall see fit. And it shall be lawful for the said Board to hold special or *pro re nata* meetings when directed by the Chairman or by any three members.

Meetings of the Board.

(2) The said Board shall have an office in Kingston, at which the ordinary business of the Board shall be conducted, and at which the meetings of the Board may be held.

8. The Board shall have power, as often as it may deem fit, to appoint any two or more of its number as a committee for the purposes of this Act, and if more than two to fix the number of such committee that shall be sufficient to transact business; and it shall be lawful for any such committee, in transacting the business committed to it, to exercise all the powers necessary for that purpose which are by this Act given to the Board of Supervision; and such committee shall be bound to report to the Board at such time or times as the Board shall direct, and failing such direction shall report to the said Board at its next general meeting.

Board may name committee.

9.—(1) The Board of Supervision may make rules for the better carrying out of this Act and generally in relation to the administration of poor relief and, without prejudice

Power of Board to make rules.

to the generality of the foregoing powers, the Board may make rules—

- (a) for the control and management of poor relief and for the form and manner in which such relief may be given;
- (b) for controlling the education of children whose education is a charge on poor relief funds;
- (c) for regulating and controlling the form, manner and kind of medical assistance which may be granted to persons under this Act;
- (d) for the government, management and control of almshouses and of all poor relief institutions;
- (e) for making provision for, and controlling the boarding out of, children subject to poor relief;
- (f) for controlling the duties of all poor relief officers and the manner of their performance of such duties.

(2) No such rules shall have effect until approved by the Minister.

Powers and
duties of the
Board of
Supervision.

10. It shall be lawful for the Board of Supervision—

- (a) to examine into the manner in which poor relief is administered in the several parishes, and in cases where it shall appear to the Board that the arrangements in any parish are defective to require the Parish Council of such parish to remedy such defect;
- (b) to inspect and audit all books, papers and accounts of Parish Councils, in so far as they relate to the relief of the poor, and of all institutions maintained for the relief of the poor, and with the concurrence of the Auditor-General of Jamaica to surcharge any officer on whose authority any excessive or unlawful expenditure was incurred with the amount of such excessive or unlawful expenditure in the absence of a reasonable explanation by such officer to the satisfaction of the Auditor-General;

- (c) to investigate and report to the Governor-General any charge preferred against a Medical Officer, such charges having been brought to its notice in writing and duly authenticated;
- (d) to settle any question or difference arising between two or more Parish Councils or the officials of such Councils;
- (e) to hear and decide appeals from poor persons who have been refused relief, or who may consider the relief afforded them inadequate; and
- (f) generally it shall be the duty of the Board of Supervision to see this Act effectually administered by the several Parish Councils, without injustice to the persons entitled to relief on the one hand, and with due regard to the interest of the taxpayers on the other, and so far as may be to secure unity of system in its practical administration throughout the Island.

11. The Board of Supervision shall make a record of its proceedings, in which shall be entered minutes of all meetings held by it, or any committee appointed by it, and all resolutions passed and orders made by such Board, and all other matters which the Board may judge proper; and the said Board shall once in every year submit to the Minister a general report of its proceedings, which report shall contain in particular a full statement as to the condition and management of the poor throughout Jamaica, and the funds raised for their relief; and every such report shall be laid before the Senate and the House of Representatives at the first meeting of such Senate and of such House, as the case may be, after the receipt of the same by the Minister.

Board to record its proceedings, and make annual reports.

12. It shall be lawful for the Board of Supervision to enquire into the management of the poor in every parish in Jamaica; and, for this purpose, the said Board is hereby

Powers of the Board of Supervision to require returns.

empowered to make enquiries, and require answers or returns to be made to the said Board, upon any question or matter connected with or relating to the relief of the poor, and also by a summons, signed by a member or by the Secretary, to require the attendance of all or any such persons as it may think fit to call before it upon any such question or matter, and to administer oaths to and examine upon oath all or any such persons, and to require and enforce the production upon oath of all books, contracts, agreements, accounts and writings or copies thereof respectively, in any-wise relating to any such question or matter; or in lieu of requiring such oaths as aforesaid the said Board may, if it thinks fit, require any such person to make and subscribe a declaration of the truth of the matters respecting which he shall have been or shall be so examined.

Board may
authorize
special
enquiries to
be made.

13. It shall and may be lawful for the said Board, whenever it may seem fitting to it, to authorize and empower for a limited time one or more of the members thereof to conduct any special enquiry in any part of Jamaica, and to report thereon to the Board; and such member or members so authorized and empowered shall be entitled to summon and examine witnesses on oath, and to exercise all such other of the powers by this Act given to the Board of Supervision as may be necessary for conducting such enquiry; and such member or members shall be reimbursed by the said Board all expenses necessarily incurred by him or them in conducting such enquiry, and such expenses shall be deemed part of the expenses attending the execution of this Act, and be paid accordingly. Any witness summoned under this or section 12 shall be entitled to be paid his expenses at the same time or times, and according to the same scale, as a witness summoned to the Circuit Court in a civil suit, and it shall be lawful for the Board of Supervision, in any case where it sees fit to order and allow such expenses of or concerning the production of any books, contracts, agreements, accounts

or writings, or copies thereof, to or before the said Board, or committee thereof, or member or members, as such Board may deem reasonable; and such expenses so ordered and allowed shall be deemed part of the incidental expenses attending the execution of this Act, and be paid accordingly.

14. In case any person shall wilfully refuse to attend in obedience to any summons of the Board of Supervision or any committee thereof, or any member or members authorized or appointed by the Board as aforesaid, or to give evidence; or shall wilfully refuse to produce any books, contracts, agreements, accounts and writings, or copies of the same, which may be required to be produced before the said Board or committee, or member or members as aforesaid; or shall wilfully neglect or disobey any of the orders of the said Board or committee, or member or members; or shall wilfully insult the said Board or committee; or member or members, while holding any enquiry or special enquiry under this Act; or shall wilfully interrupt the proceedings of the said Board or committee, or member or members; or otherwise misbehave during the holding of such enquiry or special enquiry as aforesaid, such persons being thereof lawfully convicted shall forfeit and pay, for the first offence any sum not exceeding four dollars, for the second and every subsequent offence any sum not exceeding twenty dollars, or less than ten dollars.

Penalties on parties refusing to obey summons of the Board.

And all such penalties may be recovered by summary proceedings upon complaint in writing made in the name of the Secretary to the Board of Supervision, or of any agent to be appointed by minute of the said Board, to the Resident Magistrate of the parish in which the offence shall have been committed, or to the Resident Magistrate of the parish in which the offender may be found.

Members of Board of Supervision may attend meetings of Parish Council.

15. It shall be lawful for the members of the Board of Supervision or any of them to attend and be present at any meeting of a Parish Council, and to take part in the discussions so far as the same relate to the relief or management of the poor, but not to vote at such Council.

Payment of salaries and expenses.

16.—(1) The salaries of the Secretary to the said Board, and of all clerks, messengers and officers, the office expenses of the Board, and all incidental expenses attending the execution of this Act as provided herein, shall be paid out of the Consolidated Fund.

(2) The Minister shall from time to time place in the Treasury to the credit of the Board of Supervision such sum of money as shall seem to him necessary to meet expenses authorized by this Act.

Parish Councils

Parish Councils to be managers of the poor in parishes.

17.—(1) The Parish Council in each parish shall be the managers of the poor under this Act, and the whole administration of the law for the relief of the poor shall, subject to the provisions of this Act, be under the direction and control of such Parish Council.

Appointment of Poor Relief Committee.

(2) All matters relating to the exercise by a Parish Council of its functions under this Act shall stand referred to a Committee (to be known as the Poor Relief Committee) of the Parish Council, and the Parish Council before exercising any such functions shall, unless in their opinion the matter is urgent, first receive and consider the report of such Committee with respect to the matters in question.

(3) The Parish Council may delegate to the Poor Relief Committee, with or without any restrictions or conditions as they think fit, any of the functions of the Parish Council under this Act.

42/1969
3rd Sch.

(4) (a) Every Poor Relief Committee shall be constituted of—

- (i) not more than two members (who shall not necessarily be members of the Parish Council) nominated by the Board of Supervision for a period not exceeding two years, and eligible for re-nomination on the expiration of such period;
- (ii) four other members nominated by the Parish Council.

(b) Every Poor Relief Committee shall, notwithstanding anything in this section, have power at any time to co-opt not more than two persons to assist in its deliberations, but no persons so co-opted shall have any right to vote on any matter voted upon by the Committee.

(c) The Parish Council shall appoint one of the members of the Poor Relief Committee to be the Chairman of such Committee.

(d) Three members of the Poor Relief Committee shall form a quorum.

(e) The Poor Relief Committee shall have power to regulate its own procedure.

(f) If any member of the Poor Relief Committee shall, without leave of the Parish Council first had and obtained, fail to attend six consecutive meetings of the Committee, his seat on the Committee shall thereupon become vacant.

(5) Notwithstanding anything to the contrary, references in subsections (2) and (3) to the functions of a Parish Council under this Act shall not include the functions described in subsection (1) of section 10 of the Parish Councils (Unified Service) Act, or section 13 of the Municipal Service Commission Act, relating to poor relief officers. ^{11/1964} S. 2 (3).

Parish Council to meet and make up roll of the poor, and fix remuneration of Inspector of the Poor.

18. Each Parish Council shall, on such day as may be fixed by the Board of Supervision, meet for the purpose of making up, or causing to be made up, a roll of the poor persons claiming and by law entitled to relief from the parish, and of the amount of relief given or to be given to each of such persons, and such meeting shall make up or cause to be made up such roll as aforesaid with the least possible delay, and shall cause a copy of such roll to be affixed to the door of each court house in the parish; and thereafter such Parish Council shall fix certain days and places on and at which the general meetings of the Board shall be held, and may adjourn such meetings from time to time and to such places as such Parish Council shall see fit:

Provided always that such Parish Council shall be bound to hold at least two general meetings in every year, one on the last Thursday of October, or as soon thereafter as may be, and the other on the last Thursday of April, or as soon thereafter as may be, or at such other stated times as may be approved of by the Board of Supervision, and at such meetings shall revise and adjust the Roll of Paupers and their allowances.

Appointment of poor relief officers. Schedule. 11/1964 S. 2 (3). 15/1959 S. 2 (a) (b)

19.—(1) Subject to the provisions of subsection (2), each Parish Council may appoint persons to the offices set out in the Schedule. The emoluments of all such persons (in this Act collectively referred to as poor relief officers), shall be fixed by the Parish Council subject to the approval of the Minister.

11/1964 S. 2 (3).

(2) No person shall be appointed to be an Inspector of the Poor or a Master or Matron of the almshouse unless that person has passed such examination as may be required by the Board of Supervision, and the requirements of the Board of Supervision as to such examination shall be published from time to time in the *Gazette*.

(3) The Board of Supervision may from time to time with the approval of the Minister by order add to or amend the Schedule.

15/1959
S. 2 (c).
Schedule.

20. It shall be the duty of the Inspector of the Poor of each parish in relation to the administration of poor relief in the parish—

Duties of
Inspector of
the Poor.

- (a) to keep all the books, rolls, accounts and other documents relating to the management or relief of the poor in an efficient and proper manner and in accordance with directions given by the Parish Council and with any rules from time to time made, or instructions given, by the Board of Supervision;
- (b) to enquire into and make himself acquainted with the particular circumstances of each person receiving relief under this Act;
- (c) to keep a record of all persons who have applied for relief showing the particulars of each such case;
- (d) to keep a roll of all such persons and of the sums paid to them or on their account;
- (e) to visit, and inspect personally at least twice in each year at his place of residence, every person receiving relief under this Act;
- (f) to report to the Parish Council and to the Board of Supervision all matters connected with the management of the poor;
- (g) to perform in accordance with directions received from the Parish Council and in accordance with any rules from time to time made, or instructions given, by the Board of Supervision all duties relating to the administration of poor relief under this Act :

Provided that an Inspector may delegate in accordance with instructions received from the Parish Council or from the Board of Supervision, all or any of such duties to an Assistant Inspector of the Poor.

Investigations by Parish Councils and the Board of Supervision.

21.—(1) Where any Parish Council is of the opinion that poor relief is not being administered properly or efficiently in any place or district, or by any poor relief officer, in the parish, the Parish Council may hold an investigation into the administration of such poor relief.

(2) If after such investigation the Parish Council is of the opinion that any poor relief officer has been negligent in the performance of his duties, or is unfit, incompetent, or incapable, of discharging his duties, then such Parish Council may dismiss without notice or degrade any such officer, or may make such other order in relation to the administration of poor relief in the parish as it may think fit.

(3) Where the Board of Supervision has received any complaint in relation to the administration of poor relief under this Act, or where the Secretary of the Board of Supervision is of the opinion that the provisions of this Act are not being properly carried out, either in any particular place or district or by any particular poor relief officer, the Secretary shall inform the Board of Supervision of such fact and the Board of Supervision may thereupon order an investigation before such Board to be held in relation to such matter. At such investigation it shall be the duty of the Secretary to place before the Board all the evidence in relation to such matter as may be within the possession of such Secretary. On the determination of such investigation the Board may make such order as it thinks fit:

Provided that in so far as the investigation relates to the performance of the duties or conduct of a poor relief officer the findings shall be reported to the Parish Council and the

11/1964
S. 2 (3).

provisions of subsection (2) shall apply as if the investigation were held by the Parish Council under subsection (1).

(4) Pending the hearing of any investigation under subsection (1), (2) or (3), the Parish Council may suspend any poor relief officer. 11/1964
S. 2 (3).

(5) Any investigation under subsection (1), (2) or (3) shall be of an informal nature and the procedure therein may be determined by the Parish Council or the Board of Supervision, as the case may be, and unless in any particular case for special reasons the Parish Council or the Board of Supervision, as the case may be, otherwise orders, no person shall be represented by counsel or solicitor at any such investigation.

22. In the event of any question or difference arising between two or more Parish Councils, or the officials of such Councils, on matters relating to the relief of the poor, the same shall be referred and submitted to the Board of Supervision, whose decision thereupon shall be final, and not be liable to appeal in any court of law. Reference
of disputes
and
questions
between
parishes,
etc.

Almshouses

23. With the concurrence of the Board of Supervision had and obtained thereto, it shall be lawful for the Parish Councils of any two or more contiguous parishes to agree to build a common almshouse for such two or more parishes, to be placed under the management of a Board to be appointed jointly by such Parish Councils, and the expense of maintaining and erecting such almshouse shall be borne by such parishes in such proportions as shall be agreed on by the Parish Councils of the said parishes respectively: Parishes
may unite
for the
purpose of
building
almshouses.

Provided always that if any such agreement for the purpose of building an almshouse has once been effected, it shall not be lawful for any one or more of the parishes to withdraw

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from such agreement without the consent of the Board of Supervision previously had and obtained.

Plans for almshouses to be approved by Board of Supervision.

24. From and after the passing of this Act no new almshouse shall be built, nor shall any existing almshouse be materially enlarged or altered, unless the site of such new almshouse shall have been approved of by the Board of Supervision, and the plans of such new almshouse, or of such proposed enlargements or alterations, or the agreement to build a common almshouse, shall have been submitted to and approved by the Board of Supervision, and signed, subscribed or endorsed, by at least four of the members of the Board of Supervision in attestation of their approval.

Parish Councils to frame rules for regulations of almshouses. 11/1964 S. 2 (3).

25. In every case in which an almshouse already exists, or shall be built or enlarged or altered under the provisions of this Act, the Parish Council shall frame rules and regulations for the management of such almshouse, and for the discipline, employment and treatment, of the inmates thereof, and for the admission of any known minister of the religious persuasion of any inmate of such almshouse at all reasonable times, on the request of such inmate, for the purpose of affording religious assistance to such inmate, and shall submit such rules and regulations to the Board of Supervision for approval; and no rules or regulations shall be effectual, or shall be acted upon, except such as shall have been approved by the Board of Supervision. In every almshouse there shall be a resident Master or Matron, or both.

Master and Matron.

Poor persons from other parishes may be received into almshouses.

11/1964 S. 2 (3).

26. It shall be lawful for the Parish Council of any parish, in which an almshouse has been or shall hereafter be erected, at the request of any other Parish Council to receive and accommodate in such almshouse poor persons belonging to such other parish, and to charge to such last mentioned Parish Council such rates for the maintenance of such poor persons as shall be approved by the Board of Supervision;

and such poor persons shall be in all respects subject to the same discipline and treatment as the other inmates of the almshouse in which they are so accommodated.

Medical Attendance

27. In every almshouse there shall be provided by the Parish Council proper medical attendance, medicines and appliances, for the inmates thereof, and for that purpose it shall be lawful for the Parish Council from time to time to nominate, appoint and remove, a properly qualified medical man, who shall give regular attendance at such almshouse, and to fix a reasonable remuneration to be paid to him by such Parish Council :

Medical attendance in almshouses. 11/1964 S. 2 (3).

Provided always that if it shall appear to the Board of Supervision that such medical man is unfit or incompetent, or neglects his duty, it shall be lawful for the Board of Supervision to suspend or remove such medical man from his appointment and attendance :

Provided always that wherever a Medical Officer is paid out of the Consolidated Fund, and it is part of his duties as such to give proper medical attendance to the inmates of any almshouse in his district, the Parish Council shall not be called upon to make any further appointment, or to provide further remuneration to such Medical Officer.

28.—(1) In every parish it shall be lawful for the Parish Council, and they or it is hereby required to provide for sick persons entitled to relief, medicines, medical attendance, nutritious diet, stimulants, sick-bed attendance, and suitable lodging and clothing, and to defray the funeral expenses of destitute persons who may die, all in such manner and to such extent as may seem equitable and expedient and be within the resources of the Parish Council in respect of available funds or otherwise, and to make provision for the

Medical relief, clothing and education.

POOR RELIEF

education of poor children who are themselves, or whose parents are, in the receipt of parochial relief :

Provided always that where a Medical Officer is paid out of the Consolidated Fund, and it is a part of his duties to give medical attendance within a district of any parish to persons entitled to relief, the Parish Council of such parish shall not be required to provide further medical attendance for such district.

Duties of
Medical
Officers.

(2) The Medical Officer of any parish or part of a parish (whether appointed by any Parish Council or paid out of the Consolidated Fund) shall be and he is hereby required to make monthly returns, according to a Form approved by the Board of Supervision, to the Parish Council, of sick persons in receipt of relief within such parish or part of a parish, and the Parish Council shall send a copy of the same to the Board of Supervision.

(3) The said Medical Officer shall also, at the request of the Inspector, examine any applicant for poor relief, or any person in receipt of relief, and report in such form as may be approved by the Board of Supervision. He shall give to the Parish Council and to the Inspector, when required, any reasonable information respecting the case of any such person as aforesaid under his care, make a written report relative to any sickness prevalent among the poor of his District, as the Parish Council or the Board of Supervision shall require him to do so, attend the Parish Council when summoned by direction of the Chairman for any special cause to be named in the notice of summons, give a certificate under his hand to the Parish Council or the Inspector of the nature of the sickness of any sick person in receipt of relief, or other cause of his attendance on such person, when required to do so by the Parish Council or the Inspector.

(4) In every parish, lists of all persons in the receipt of out-door parochial relief, and residing within the Parish

or District of any such Medical Officer, shall be prepared by the Inspector every three months, and a copy furnished to such Medical Officer, and a ticket shall be furnished to each such person certifying that such person's name is on such list.

(5) Every such Medical Officer shall duly and punctually attend upon and prescribe for all persons in receipt of relief requiring medical or surgical assistance within the district to which he is appointed, whenever he shall be thereunto required by a written or printed order from the Parish Council or the Inspector, or in cases of sudden and urgent necessity from a member of the Parish Council, or by the production on the part of any poor person of the said ticket furnished by the Parish Council. Such attendance shall be at the respective houses of such sick persons if they are unable to attend at the residence of such Medical Officer or at a public dispensary.

Relief

29. The persons entitled to relief in any parish are the persons within the parish who are wholly destitute of the means of subsistence, and are at the same time from mental or physical causes unable to work and earn the means of subsistence:

Persons entitled to relief.

Provided always that under exceptional circumstances of destitution, arising from drought, epidemic disease or such like causes, the Parish Council of any parish as the case may be may afford temporary relief to persons who are wholly destitute, though they may not be unable from mental or physical causes to earn the means of subsistence; such exceptional circumstances and relief shall in each case be forthwith reported to the Board of Supervision by the Parish Council.

Destitute
persons to
be relieved.

30. In every case in which a person in any parish shall apply for parochial relief, the Inspector shall be bound to make enquiry forthwith into the circumstances of the applicant, and shall, if he appear to the Inspector to be a person legally entitled to parochial relief, be bound to furnish him with sufficient means of subsistence until the next meeting of the Parish Council; and such Inspector shall continue to afford to such person such interim maintenance as may be necessary until his claim to relief be dealt with by such Council; and every Inspector to whom application shall be made by or on behalf of any person for parochial relief shall be bound to return an answer to such application within twenty-four hours from the time when it was made :

Provided always that, if the necessary means of support are afforded to the applicant in the meantime, such Inspector may delay giving a final answer to such application for any period which to him may seem necessary for prosecuting his enquiries :

Provided also that any applicants as aforesaid shall be bound to give to the Inspector and the Parish Council of the parish to which he has applied for relief all information and assistance which it is in his power to give on every matter regarding his case which the Inspector or the Council may desire to ascertain, and shall be bound to answer, upon oath if required, all such questions as may be put to him before any Justice and in case of false swearing, shall be liable to be prosecuted for perjury.

And it is hereby declared that it is no answer to a claim for relief that the claimant has relatives able or bound by law to support him, and assistance cannot be refused when the applicant is in such a state of necessity bodily or mentally, as fairly entitles him to relief. In all such cases it shall be the duty of the Inspector to provide the needful sustentation

in the first instance, and afterwards to proceed against those persons who are bound by law to aliment or assist the relieved.

31.—(1) Notwithstanding anything contained in this Act where any destitute person not on the roll of paupers and about to be discharged from any public hospital, refuses or fails to apply for parochial relief, or where any destitute person not on the roll of paupers is about to be discharged from Bellevue Hospital, or where any destitute person not on the roll of paupers is an inmate of Bellevue Hospital and has a child who is destitute, application for parochial relief may be made by any person on behalf of any such destitute person or destitute child.

Application for parochial relief on behalf of certain persons.

(2) The application shall be made to the Inspector of Poor of the parish wherein the destitute person or child, on whose behalf the application is made, has his usual place of abode and shall be deemed to be the application of such destitute person or child and the provisions of this Act shall apply to applications under this section in like manner as they apply to applications under this Act :

Provided that where any act or thing is authorized or required to be done to or by the applicant under the provisions of this Act that act or thing, save and except the grant or payment of parochial relief, shall be done to or by the person who makes the application authorized by this section.

32. Anything in this Act to the contrary notwithstanding, it shall be lawful for the Inspector and he is hereby required, in case any person not entitled under this Act to relief shall apply to him for temporary relief, and shall represent himself to be starving, and the Inspector shall have reason to believe that such person's life is in danger from starvation, to grant such person such temporary relief as may seem to him to be necessary, and in such form as may appear to him advisable.

Starving poor.

Proceeding when relief refused by Parish Council, or amount of relief considered inadequate.

33. In any case in which a person who has made application for relief shall have been refused relief by the Parish Council, or by the Inspector, it shall be lawful for such person to lodge or cause to be lodged a complaint with the Board of Supervision, and the said Board may, if it be of opinion that such person is, upon the facts stated, legally entitled to relief, by a minute addressed to the Parish Council, make an order upon the Inspector, directing him to afford temporary relief to such person until the matter of his complaint can be finally settled as hereinafter mentioned; and in any case in which a person in receipt of relief shall consider the relief granted him to be inadequate, it shall be lawful for such person to lodge, or cause to be lodged, a complaint with the Board of Supervision; and whenever any such complaint shall have been lodged as aforesaid the Board is hereby required to investigate the nature and grounds of the same, and if, after enquiry, it shall appear to the Board of Supervision that the complainant has been improperly refused relief, or that the relief afforded to such person is inadequate, the said Board shall, by a minute addressed to the Parish Council, declare that in the opinion of the Board the complainant is entitled to relief, or that the relief afforded is inadequate, as the case may be; and in either of the above cases, should the Parish Council to which any such minute as aforesaid is addressed not see fit to comply with the opinion expressed therein, or show cause satisfactory to the Board of Supervision why it should not comply with such opinion, or should the Parish Council refuse to act upon the same, it shall be lawful for the Board of Supervision to make such order in the premises as to the said Board shall seem just, which order the Parish Council shall be bound to obey, and the same shall not be subject to any review.

Certificate of refusal of relief.

34.—(1) In every case of refusal of relief the Inspector shall deliver to the applicant who has been refused relief a certificate, signed by the Inspector, which shall certify

the fact, the grounds and the date of such refusal, and set forth the name of the person so refused, such certificate shall be delivered as aforesaid in all cases whether the same is demanded by the applicant or not; and in the case of any person desiring to lodge with the Board of Supervision a complaint of refusal of relief or of inadequate relief the Inspector shall, on application, furnish to such person a printed Form of Application and Schedule for the use of such person, and if required by the applicant so to do shall fill up the Schedule in any terms the applicant may desire.

(2) Every such Application and Schedule before being transmitted to the Board of Supervision must be signed by the person complaining with his name, or with a mark attested by one witness.

(3) Every such Schedule, before being transmitted to the Board of Supervision, shall be delivered open to the Inspector, who shall inscribe upon it such remarks as he may have to make, and sign them with his name, and if required by the applicant so to do the Inspector shall, within forty-eight hours from the time when the Schedule shall have been delivered to him for that purpose, forward it to the Board of Supervision.

35. The Inspector in each parish shall be deemed within such parish to be the Almoner, or other officer appointed by the Parish Council to administer the funds available for the relief of the poor of the parish, within the meaning of the Maintenance Act; and every Parish Council is hereby enjoined, and every Inspector is hereby directed and enjoined, to enforce the provisions of the said Acts in every case in which the same are applicable, and not inconsistent with the provisions of this Act.

Duty of Inspector with respect to the Maintenance Act.

36. In case any Parish Council shall refuse or neglect to obey any order, direction or requisition, of the Board of Supervision, it shall be lawful for the Board of Super-

Enforcement of order of the Board of Supervision.

vision to refer the matter to the Minister, who is hereby authorized in such case to affirm, rescind or vary the order, direction or requisition, in question; and such order of the Minister shall be final and conclusive, and in case the Parish Council refuse or neglect to obey the same the Minister may direct the Inspector to carry the same into execution, and shall supply such Inspector with the funds necessary for the purpose out of the funds belonging to the Parish Council available for the relief of the poor.

Suspension of
powers of
Parish
Councils.

37.—(1) In any case where the Board of Supervision is of opinion that poor relief under this Act is not being properly or efficiently administered in any parish by reason of the neglect, or of the misuse of the powers, of the Parish Council of such parish in relation to poor relief, the Board of Supervision may recommend to the Minister that the exercise of all such powers by the Parish Council be suspended.

(2) Where the Minister is satisfied that there is good reason for such recommendation by the Board of Supervision in respect to any Parish Council, he may by order direct the suspension of the exercise by the Parish Council of its powers under this Act in relation to poor relief for so long as the order continue in force and by such order may further provide for the transfer of all such powers of the Parish Council, either to the Board of Supervision or to such other body of persons, or to such officer, as may be named in the order.

(3) Any order under subsection (2) may at any time be varied or cancelled by the Minister.

Form and
manner of
giving notices.

38. In all cases in which, by the provisions of this Act, notice or intimation is required to be given, without prescribing the particular form of the notice, or the manner in which the same is to be given, it shall be lawful for the Board

of Supervision from time to time to fix the form of such notice or intimation, and the manner in which the same is to be given.

39. A Parish Council shall not be required in any year to incur expenditure under this Act in excess of the amount provided for poor relief in the annual estimates, unless the Parish Council first consents to such excess expenditure.

**Expenditure
in excess of
estimates.**

SCHEDULE

(Section 19)

15/1959
S. 3.

~~Inspector~~ of the Poor
Deputy Inspector of the Poor
Senior Inspector of the Poor
Assistant Inspector of the Poor
~~Master~~ of the almshouse.
Assistant ~~Master~~ of the almshouse
Matron of the almshouse.
Assistant Matron of the almshouse
Staff Nurse.