



Founded 1743

THE ROYAL HOSPITAL

DONNYBROOK

Founded 1743

STATUTORY INSTRUMENTS

AND

BYE LAWS

FOR

THE MANAGEMENT OF

THE HOSPITAL

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THE ROYAL HOSPITAL DONNYBROOK

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CHARTER

OF

HOSPITAL FOR INCURABLES.

DATED THE 7TH DAY OF JANUARY, 1800.

The portions printed in Italics have been varied or amended.

GEORGE III., by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and soforth,

To all whom these Presents shall come GREETING.

WHEREAS we are informed that our right trusty and well-beloved Counsellor, Arthur, Lord Baron Kilwarden, Chief Justice of our Court of King's Bench, in our Kingdom of Ireland, our right trusty and well-beloved Counsellor, Theophilus Jones, Sir Francis Hutchinson, Bart., the Rev. Dr. William Ould, the Rev. Doctor Henry Lomax Walsh, Edward Hill, Esq., Doctor of Physic, Robert Perceval, Esq., Doctor of Physic, the Rev. Arthur McGwire, Clerk, John Wallis, Esq., Robert French, Esq., George Stewart, Esq., Surgeon General to our Army in our said Kingdom of Ireland, Thomas Smith, Esq., Surgeon, and Solomon Richards, Esq., Surgeon, did, by their Humble Petition to our Lieutenant General, and General Governor of our Kingdom of Ireland, on behalf of themselves and others, Governors of the Hospital, commonly called the Hospital for Incurables, lying on Donnybrook road, near the City of Dublin, represent and set forth that the said Hospital, of which they have the direction, has, for many years past been of great and manifest benefit to the Poor in and near our said City, who are afflicted with Disorders declared to be Incurable, by dieting, lodging, clothing and maintaining such poor persons, and by supplying them with Medical and Surgical Assistants, Medicines, and all manner of Necessaries, without Fee or Reward; that several charitable and humane persons have heretofore given and granted for the support and maintenance of the said Hospital, several large donations or sums of money, and that the funds now belonging to the said Hospital amount to the annual sum of £550. at the least, over and above annual subscriptions; that several persons who are disposed to contribute liberally towards the support thereof, are deterred from so doing, because the present Governors are incompetent to receive and manage the same

Object of the
Charity.

from the want of a Charter of Incorporation to secure the funds, and enforce the necessary regulations. And the Petitioners by their said Petition having prayed that our said Lieutenant General, and General Governor of our said Kingdom of Ireland, would recommend to us, that we should be graciously pleased, by Letters Patent, under the great Seal of our said Kingdom of Ireland, to incorporate the said Petitioners, and such others as might hereafter become Benefactors or Annual Subscribers to the said Charity, or be elected Governors thereof in manner after-mentioned. And our said Lieutenant General and General Governor of our said Kingdom of Ireland, having referred the said Petition to our Attorney and Solicitor General of our said Kingdom, to consider the same, and to report what might be proper to be done thereupon, and they being of opinion (if we shall graciously please so to do) that we comply with the prayer of the said Petition, in which our said Lieutenant General, and General Governor of our said Kingdom of Ireland, did entirely coincide in opinion with them, and we being graciously pleased to condescend thereto: KNOW ye therefore, that we of our special grace, certain knowledge and mere motion, by and with the advice and consent of our right trusty, and right well-beloved Cousin and Counsellor, Charles, Marquis Cornwallis, Lord Lieutenant, General, and General Governor of our said Kingdom of Ireland: and according to the tenor and effect of our Letters under our Privy Signet, or Royal Sign Manual, bearing date at our Court, at St. James's, the 7th day of December, 1799, in the fortieth year of our Reign, and now enrolled in the Rolls of our High Court of Chancery, in our said Kingdom of Ireland, have granted, declared, ordained, constituted and appointed, and by these Presents, for us, our Heirs and Successors, we do grant, declare, ordain, constitute and appoint our right trusty and well-beloved Counsellor, Arthur, Lord Baron Kilwarden, Chief Justice of our Court of King's Bench, in our said Kingdom of Ireland, our right trusty and well-beloved Counsellor, Theophilus Jones, Sir Francis Hutchinson, Bart., the Rev. Doctor William Ould, the Rev. Dr. Henry Lomax Walsh. Edward Hill, Esq., Doctor of Physic, Robert Perceval, Esq., Doctor of Physic, the Rev. Arthur McGwire, Clerk, John Wallis, Esq., Robert French, Esq., George Stewart, Esq., Surgeon General to our Army in our said Kingdom of Ireland, Thomas Smith, Esq., Surgeon, and Solomon Richards, Esq., Surgeon, and such others as shall from time to time become Benefactors or Annual Subscribers to the support of the said Hospital, or be elected Governors thereof in the manner hereinafter directed, to be a Body Politic, and Corporate in deed, fact and name, which shall have perpetual succession, and be called "THE GOVERNORS AND GUARDIANS OF THE HOSPITAL FOR INCURABLES NEAR THE CITY OF DUBLIN." And that

by the aforesaid name, they and their Successors for ever, shall plead and be impleaded, sue and be sued, before all manner of Justices, in all the Courts of us, our Heirs and Successors, and shall and may have, and use a common Seal, which they may alter and make new from time to time. And also, that they and their Successors for ever (by the name aforesaid), shall be able and capable in Law to purchase, have hold, take, receive, and enjoy, to them and their Successors, in fee and in perpetuity, descendable Freeholds, or any term or term, for years, any Manors, Lands, Tenements, Rents, Annuities, Pensions, Titles or other hereditaments whatsoever, not exceeding in the whole the clear yearly value of £2,000 sterling. And further, that they and their Successors for ever (by the name aforesaid) may take and receive any sum or sums of money, or any manner or portion of goods or chattels, that shall be to them given, granted, devised or bequeathed, to any amount in personal property, by any person or persons, Bodies Politic and Corporate, capable to make a gift, grant, devise or bequest thereof, for the sole use and benefit of the said Hospital, and that all properties and funds now belonging to the said Hospital, shall from henceforth be vested in the said Governors and Guardians of the said Hospital, and their Successors, for the use and benefit of the said Hospital. And we do hereby for us, our heirs and successors, further grant, order and ordain, that every person who shall subscribe and pay at one entire payment, any sum not less than TWENTY GUINEAS, to the use of said Hospital, shall, from the time of such payment and donation, be a Member of the said Corporation for life; and that every person who shall subscribe and pay any sum not less than FIVE GUINEAS, to the use of the said Hospital, shall for one year from the 1st day of January next ensuing such payment made, be a Member of the said Corporation; and it shall and may be lawful for the said Corporation, or any seven or more of them, duly convened by summons to be previously served six days, to elect by ballot such other discreet persons to be Members of the said Corporation, as to them may seem proper and useful to the said Charity. And further also, that it shall and may be lawful for the said Corporation, or any seven or more of them, duly convened by summons to be previously served six days, from time to time, by a majority of voters without a ballot, to elect, choose and appoint a Treasurer, and such other Officer and Officers, Servant or Servants, as to them shall seem necessary for the better regulation of the said Hospital; and to appoint fit and proper Salary and Salaries to such person or persons as shall be so elected, not exceeding, in the whole, the annual sum of £50 sterling. And further, that as often as it shall happen that any of the said persons so elected shall die, resign, or be removed, the said Governors and Guardians shall meet

The Seal.

Purchase of Lands, &c.

Power to accept donations, &c.

Life Governors.

Annual Governors.

Governors may be elected.

Election of Officers, &c.

Total of Salaries.

See 8 Supplemental Charter.

See 9 Supplemental Charter.

See Bye-law 12.

See Bye-law 7.

See 3 Supplemental Charter.

Filling of Vacancies. *within fourteen days thereafter, at the said Hospital, and then and there, in manner aforesaid, elect a Successor or Successors to the person or persons who shall so die, resign, or be removed, as the case may be; and that if it shall happen that there shall be an equality of votes upon any such election, that the Chairman, or President shall give a casting vote, beside his vote as a Member of the said Corporation. And further, that the said Corporation or Governors, and their Successors, or the major-part of them, duly convened at a general board, shall and may remove and displace any of the said person or persons, for neglect, non-attendance, or other reasonable cause. And further, that it shall, and may be lawful, to and for any Member of the said Corporation, by regular summonses, to be served at least six days before the meeting, to convene the said Corporation, and at the said Hospital to hold assemblies, in order to treat and consult of all matters concerning the government of the said Hospital; and that the said Corporation so convened and assembled, or the major-part of them, may make, ordain, constitute and appoint, establish or alter, annul, revoke and abrogate, from time to time, such Bye-laws, Ordinances, Rules and Constitutions as to them shall seem requisite, for the regulation, government and advantage of the said Corporation, so as such Bye-laws, Ordinances, Rules and Constitutions be approved of by our Chancellor of our said Kingdom of Ireland, the Chief Justices of our Courts of King's Bench, and Common Pleas, and Chief Baron of our Court of Exchequer in our said Kingdom of Ireland, or any one or more of them, and so as such Bye-laws, Ordinances, Rules and Constitutions be agreeable to the Laws and Statutes of our said Realm of Ireland. And also, that it shall and may be lawful, to and for the said Corporation, from time to time, by Indenture under their common Seal, to demise any Lands, Tenements, Hereditaments or Premises, which shall be situate, lying or being within the Cities or Towns Corporate, or within one mile thereof, which shall become vested in them in pursuance of this our Charter, or any part or parcel thereof, for any term or number of years not exceeding the term of sixty-one years; and in manner aforesaid to demise any Lands, Tenements or Hereditaments, which shall become vested in them in pursuance of this our Charter, and which shall be situate, lying or being elsewhere than as aforesaid, or any part or parcel thereof, for any term or number of years not exceeding the term of thirty-one years, so as upon every such demise or lease there be reserved and made payable half-yearly to the Governors of the said Hospital, and their successors, during the same term, as much Rent as can at the time and times of making such Lease or Leases respectively, be really and bona fide had for the same from a solvent Tenant, and so as no fine, income, or consideration be taken for the*

Casting Vote of Chairman. See Bye-law 4.

Dismissal of Officers, &c. See 5 Supplemental Charter. See Bye-law 12.

May make or annul Bye-laws, &c.

Leasing Power. See 11 Supplemental Charter.

See Bye-law 7.

same, save the Rent or Rents to be thereby respectively reserved; and that every such Demise or Lease be made in possession, and not in reversion, and not otherwise. And our will and pleasure further is, and we do hereby order and direct, that these our Letters Patent, or the enrollment thereof, shall be in all things good, firm, valid, sufficient and effectual in the Law unto the said Corporation against us, our Heirs and Successors, in all the Courts of us, our Heirs and Successors, anything hereinbefore contained to the contrary thereof in anywise notwithstanding. Provided always that these our Letters Patent be enrolled in the Rolls of our High Court of Chancery, in our said Kingdom of Ireland, within the space of six months next ensuing the date of these Presents.

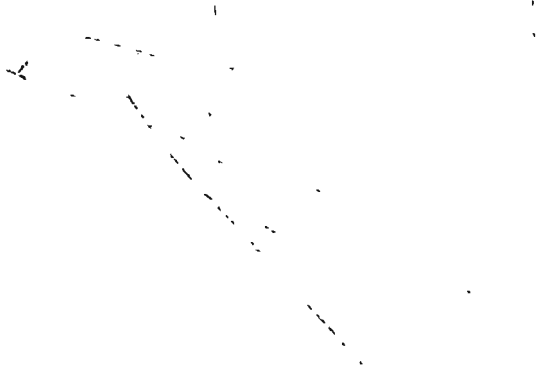
IN WITNESS whereof we have caused these our Letters to be made Patent.

Witness, our aforesaid Lieutenant General, and General Governor of our said Kingdom of Ireland, at Dublin, the 7th day of January, in the fortieth year of our Reign.

GLENTWORTH.

Enrolled in the Office of the Rolls of His Majesty's High Court of Chancery of Ireland, the 22nd day of January, in the fortieth year of the Reign of King GEORGE the Third. And examined by GLANDORE and CARYSFORT, Guardians and Keepers of the Rolls.

FINIS.



SUPPLEMENTAL CHARTER
 OF THE
HOSPITAL FOR INCURABLES,
 DONNYBROOK,
NEAR THE CITY OF DUBLIN.

DATED THE 13TH DAY OF APRIL, 1886.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and soforth.

TO ALL TO WHOM THESE PRESENTS shall come, GREETING: ~~Whereas~~ The Governors and Guardians of the Hospital for Incurables, near the City of Dublin, incorporated by Royal Charter, did by their humble Petition to our Lieutenant-General and General-Governor of that part of our United Kingdom of Great Britain and Ireland, called Ireland, represent and set forth that the Charter which our ancestor George the Third, King of Great Britain and Ireland, had, in the 40th year of his Reign, granted to the said Hospital, had, by reason of the great increase in the number of the Governors and Guardians of the said Hospital, and in the number of officers and servants employed therein, and in the number of patients treated and maintained in the said Hospital, and for divers other reasons, become unsuited to the proper and efficient working and maintenance of the said Hospital, and that it was desirable that a Supplemental Charter should be granted by us, so as to enable the said Governors more efficiently to manage the affairs, property, and funds of the said Hospital, and to develop and improve, and better regulate the same.

And the Petitioners, by their said Petition, having prayed that our said Lieutenant-General and General-Governor of Ireland should recommend to us that we should graciously be pleased, by our Letters Patent, under the Great Seal of Ireland, to grant a Supplemental Charter to the said Hospital, for the purposes hereinafter mentioned.

And our said Lieutenant-General and General-Governor of Ireland, having referred the said Petition to our Attorney and Solicitor-General for Ireland, to consider the same, and to report what might be proper to be done thereupon, and they being of opinion (if we should graciously please so to do) that we should comply with the prayer of the said Petition, in which our said Lieutenant-General and General-Governor of Ireland did entirely coincide with them, and we being graciously pleased to condescend thereto. And our said Attorney and Solicitor-General being further of opinion that it was essential that a letter under our Royal Sign Manual should issue directing that Letters Patent should be passed under the Great Seal of Ireland granting the said Supplemental Charter as aforesaid.

Know ye therefore that we, of our special grace, certain knowledge, and mere motion, by, and with the advice and consent of our right trusty and right well-beloved cousin, and Councillor, JOHN CAMPBELL, EARL OF ABERDEEN, our Lieutenant-General and General-Governor of that part of our said United Kingdom called Ireland, according to the tenor and effect of our Letter, under our Privy Signet and Royal Sign Manual, bearing date, at our Court at St. James's, the 20th day of March, One Thousand Eight Hundred and Eighty-six, in the 49th year of our Reign, and now enrolled in the Record and Writ Office of the Chancery Division of our High Court of Justice, in that part of our said United Kingdom of Great Britain and Ireland called Ireland, do hereby for us, our heirs, and successors, grant, ordain and declare, that the said Charter of Incorporation of the Governors and Guardians for the Hospital of Incurables, near the City of Dublin, granted by our said ancestor, King George the Third, shall from henceforth, save as hereby varied and amended, remain in full force.

Object of the
Charity.

1. And we ordain and appoint that the said Hospital shall continue and be for the dieting, lodging, clothing and maintaining poor persons who are or shall be affected with disorders declared by qualified medical authority to be incurable, and for supplying them with medical and surgical assistance, medicines, and all manner of necessaries without fee or reward.

Appointment of
Committees.

2. And further that the said Governors and Guardians shall have power from time to time to constitute and appoint out of their number a Board or Committee or Committees for the management of the affairs of the said Corporation, and that the appointment, powers and duties of such Board, Committee or Committees shall be provided for by the Bye-laws to be from time to time made for the management of the affairs of the said Corporation as hereinafter mentioned.

3. And further that the said Corporation or Managing Committee thereof constituted and appointed as aforesaid, may, notwithstanding any thing in the said original Charter to the contrary, from time to time fix for, appoint and pay to its officers, nurses and servants such salaries and wages or pensions, or annual allowances, or donations in lieu thereof, as shall seem to them just and reasonable, and as the income from time to time of the said Corporation may suffice to pay.

Salaries of Officers and Others.

4. And the said Corporation or the Managing Committee thereof, to be constituted by the Bye-laws for the management of the said Hospital, may, out of the annual funds of the said Hospital allow or pay during the pleasure of such Corporation or Committee an annual sum not exceeding £10 to any patient of the said Hospital who shall have been an inmate thereof for a period in the whole of not less than three years, and who may be willing to reside out of the said Hospital, provided, however, that the annual amount expended on such extern patients shall not in any one year exceed the sum of £100, exclusive of any sum or sums which may at any time hereafter be given or bequeathed by any person for that particular purpose.

Extern Patients.

5. And further that it shall and may be lawful for any members of the said Corporation not being less than seven in number by summons (to be served until the making of the Bye-laws hereinafter mentioned in the manner before the granting of these presents used for summoning Meetings of the said Corporation, and after the making of such Bye-laws in the manner to be thereby provided) to convene the said Corporation and at the said Hospital to hold Assemblies in order to treat and consult upon all matters concerning the government of the said Hospital and the management of its properties and affairs, and that the said Corporation so to be convened and assembled or the major part of them may make, ordain, constitute, appoint and establish such Bye-laws as to them shall seem requisite for the regulation, government and advantage of the said Corporation and its properties and affairs, and for the management of the said Institution, its servants and patients, and may alter, annul, revoke and abrogate any Bye-laws so made, provided always, and it is our will and pleasure that all such Bye-laws be approved by our Chancellor of Ireland, the Chief Justice of the Queen's Bench Division, and the Master of the Rolls in Ireland, or their successors in office or any one or more of them, and so as such Bye-Laws be agreeable to the Laws and Statutes of our realm and the said Charter.

Bye-Laws.

6. And we do hereby for us, our heirs and successors, grant, declare, ordain and direct, that from and after the making of-

Notices or Summons.

such Bye-laws as aforesaid notices or summonses for all Meetings of the said Corporation or of any Committee thereof shall be given to or served on the members thereof respectively in such manner and at such time or times as may be provided by the said Bye-laws.

Election of Governors, Officers, &c.

7. And further that the election of members of the said Corporation and all elections, appointments, engagements, and hirings, and also all dismissals and removals of its officers, patients, nurses and servants of every kind or degree shall be had and made in such manner, and at and within such time and times as may be regulated and directed by the said Bye-laws.

Purchase of Lands, &c.

8. And also that they the said Corporation and their successors for ever (by the name aforesaid) shall be able and capable in Law to purchase, have, hold, take, receive and enjoy to them and their successors in fee or in perpetuity descendable freeholds, or for any term or terms of years, any manors, lands, tenements, rents, annuities, pensions, tithes, or other hereditaments whatsoever, without any limit.

Power to accept donations and bequests.

9. And that the said Corporation and their successors for ever (by the name aforesaid) may take and receive any sum or sums of money, or any stocks, funds, whether public or private, or any lands, or any securities for money of what nature or kind soever, or any manner of goods or chattels that shall be to them given, granted, devised, or bequeathed by any person or persons, or given or granted by any body politic or corporate, capable of making a gift or grant thereof, for the use and benefit of the said Hospital.

Investment of Funds

10. And that the said Governors or Corporation may, in their discretion either permit any funds, securities, or property of any kind vested in them, or to which they may be entitled or which may be at any time given, devised, or bequeathed to them either to remain on the securities in which they shall at the date of the said Letters Patent or at the time of such gift, devise, or bequest be invested, or at any time and from time to time sell and convert the same or any part thereof, and lay out and invest from time to time the proceeds of such sale and conversion or any of the funds of the said Corporation in the Government Funds of the United Kingdom, or of any of the Government Funds of any of our Colonies or Dependencies, or in the Debentures, Debenture Mortgages, or Debenture Stocks of any Public Body or Corporation, duly incorporated by or in pursuance of any Act of Parliament or by our Charter, provided such securities shall be authorised by the powers for borrowing conferred on such Body or Corporation. Or in the Debenture Stocks or Mortgages

of any Company which shall for three years next preceding such investment have paid a dividend on their original stocks or in the purchase of Chief or Head Rents to be had or derived from lands or houses held for ever, or for long terms of years, of which not less than three hundred years remain unexpired, having a title declared valid under any statute, or upon any of the Securities for which trustees may lend or invest trust funds under the powers conferred or to be conferred by any of the Statutes which now or hereafter may be enforced in our Realm ; and the said Governors or Corporation may from time to time vary and transpose the said investments into or for others of any nature hereby authorised.

11. And that it shall and may be lawful for the said Corporation from time to time by Indenture under their Common Seal to demise any of its lands, tenements, and hereditaments for any term commensurate with the term or interest of the said Corporation in the said lands, tenements, or hereditaments, for the time being proposed to be demised, and for any rent and fine appearing reasonable and just, and so that in every such demise there be contained a covenant by the Lessee for due payment of the rent, and that such lease be made to take effect in possession or within six months from the execution thereof, and that the tenant do execute a counterpart thereof. Leasing Power.

12. And that it shall be lawful for the said Corporation, or any Committee appointed as aforesaid for the management of the affairs of the said Corporation, from time to time, as they shall think fit for the benefit of the said Charity, to enter into contracts for the sale of, and to sell all or any part of the lands, tenements or hereditaments, of whatever tenure, corporeal or incorporeal which now belong to, or shall hereafter be purchased by, given, granted, devised, or bequeathed to the said Corporation, upon such terms, and subject to such restrictions, stipulations, and conditions, as to title, or evidence of title, or otherwise, as they shall think fit, and with power to buy in, or rescind, or vary any contract for sale, and to re-sell, without being answerable for any loss occasioned thereby ; and the receipt of the said Corporation, under their Corporate Seal, for the purchase money shall be a sufficient discharge to the purchaser or purchasers, who shall not be bound to see to the application of the purchase money, or any part thereof, or be answerable or responsible for the loss or misapplication thereof ; and the said Corporation or Committee shall hold the proceeds of any sale, under the power to be by the said Letters Patent given, after payment thereof of all costs and expenses properly and necessarily incurred upon trust for the said Charity, in the same manner in all respects as if the Power to Sell
Lands, &c.

same formed part of the capital funds of the said Corporation. And that the said Corporation may, out of their annual Income, or out of their Capital Funds, pay and discharge all costs, charges, and fees or stamps, necessarily or properly incurred in applying for and obtaining the said Charter, and all costs or expenses in relation thereto, including the due enrolment thereof.

And our will and pleasure further is, that these our Letters Patent, or the enrolment thereof, shall be in all things good, firm, valid, sufficient and effectual in the law unto the said Corporation against us, our heirs, and successors, in all our Courts, anything hereinbefore contained to the contrary thereof, in anywise notwithstanding. **Provided always** that these our Letters Patent be enrolled in the Record and Writ Office of the Chancery Division of our High Court of Justice, in Ireland within the space of six months next ensuing the date of these presents.

In Witness whereof we have caused these our Letters to be made Patent. Witness JOHN CAMPBELL, EARL OF ABERDEEN, our Lieutenant-General and General-Governor of Ireland, at Dublin, the 13th day of April, in the 49th year of our Reign.

Enrolled in the Consolidated Record and Writ Office of Her Majesty's High Court of Justice in Ireland (Chancery Division), on the 22nd day of April, One Thousand Eight Hundred and Eighty-six.

GEORGE CREE, A.C.R.W.

J. NUGENT LENTAIGNE, Clerk of the Crown
and Hanaper, and Permanent Secretary
to the Lord Chancellor of Ireland.



Explanatory note which is not part of the instrument and which does not purport to be a legal interpretation.

This Supplemental Charter makes various amendments to the 1800 Charter. Inter alia, the requirement is introduced that disorders affecting poor persons to be cared for by the charity are to be attested by qualified medical authority; the Governors and Guardians are empowered to appoint a Board or Committee to manage the affairs of the hospital; the upper limit payable on levels of salaries and wages is removed and a provision is made whereby a patient who has spent not less than 3 years in the hospital and is willing to reside outside the hospital may be paid a sum not exceeding £10 per annum

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WHITEHALL,

25th June, 1887.

SIR,

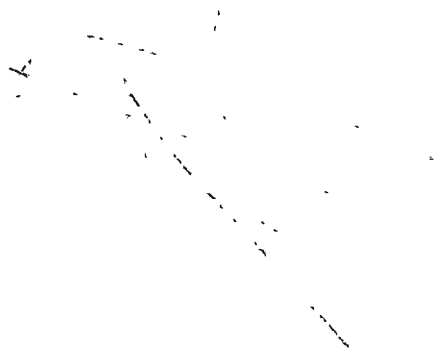
I am directed by the Secretary of State to acknowledge the receipt of your letter of the 23rd instant, and I am to inform you that he has laid before the Queen the application of the Governing Body of the Dublin Hospital for Incurables for permission to use the title "Royal" in the name of that Institution, and that Her Majesty has been graciously pleased to accede to their request, and to command that the Hospital be styled "THE ROYAL HOSPITAL FOR INCURABLES, DUBLIN."

I am, Sir,

Your obedient Servant,

(Signed) E. LEIGH PEMBERTON.

THE CHAIRMAN OF THE GOVERNORS
OF THE
"ROYAL HOSPITAL FOR INCURABLES,"
DUBLIN.





Uimhir 2 (Priobháideach) de 1953.

Number 2 (Private) of 1953.

AN tACHT UM AN OSPIDEAL
 RIOGA DO DHOILEIGHSIGH, BAILE
 ATHA CLIATH (LEASU CAIRTE),
 1953.

THE ROYAL HOSPITAL FOR
 INCURABLES, DUBLIN (CHARTER
 AMENDMENT) ACT, 1953.

BAILE ÁTHA CLIATH:

DUBLIN:

ARNA FHOLLSIÚ AG OIFIG AN ISOLÁTHAIR.
 PUBLISHED BY THE STATIONERY OFFICE.

OIFIG DIOLTA FOILSEACHÁN RIALTAIS, AN STUARA, ARD-OIFIG AN PHOIST.

BAILE ÁTHA CLIATH.

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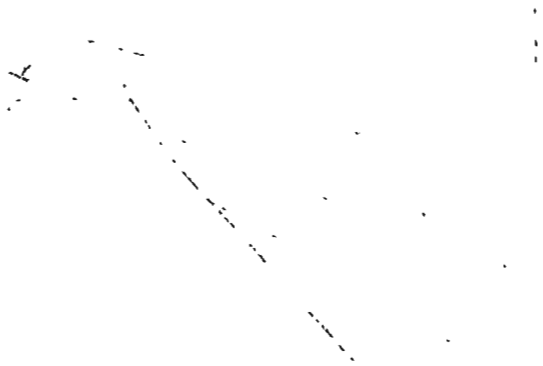


ARRANGEMENT OF SECTIONS.

Preamble.

Section.

1. Definitions.
2. Amendment of Clause 1 of Supplemental Charter.
3. Amendment of Clause 5 of Supplemental Charter.
4. Confirmation of Charter and Supplemental Charter as amended.
5. Costs of Act.
6. Short Title.





Number 2 (Private) of 1953.

**THE ROYAL HOSPITAL FOR INCURABLES, DUBLIN
(CHARTER AMENDMENT) ACT, 1953.**

AN ACT TO AMEND THE CHARTERS UNDER WHICH THE GOVERNORS AND GUARDIANS OF THE ROYAL HOSPITAL FOR INCURABLES, DUBLIN ARE INCORPORATED SO AS TO ENABLE THE SAID GOVERNORS TO RECEIVE AND CHARGE REMUNERATION AND FEES FOR THE MAINTENANCE OF PATIENTS IN THE SAID HOSPITAL.

[22nd April, 1953.]

WHEREAS the Royal Hospital for Incurables Dublin situate in Donnybrook formerly in the County but now in the City of Dublin was founded many years prior to the year 1800 for the benefit of the Poor in and near the City of Dublin who were afflicted with disorders declared to be incurable, by dieting lodging clothing and maintaining such poor persons and by supplying them with Medical and Surgical Assistance Medicines and all manner of necessaries without fee or reward.

Preamble.

AND WHEREAS by a Charter or Letters Patent under the Great Seal of Ireland bearing date the 7th day of January 1800 and granted by his late Majesty King George the Third certain persons therein named and such other persons as might from time to time become or be elected Members of the Corporation in the manner thereinafter directed were incorporated into one body politic and corporate by the name of "The Governors and Guardians of the Hospital for Incurables near the City of Dublin" and by the Charter certain powers were conferred upon the Corporation and certain provisions were made for the general regulation and management of the Hospital.

AND WHEREAS by a Supplemental Charter of Letters Patent under the Great Seal of Ireland bearing date the 13th day of April 1886 and granted by her late Majesty Queen Victoria it was

ordained and appointed that the said Hospital should continue to be for the dieting lodging clothing and maintaining poor persons who were or should be affected with disorders declared by qualified medical authority to be incurable and for supplying them with medical and surgical assistance medicines and all manner of necessaries without fee or reward.

AND WHEREAS by Royal Licence dated the 25th day of June 1887 the name of the Hospital was altered to "the Royal Hospital for Incurables, Dublin."

AND WHEREAS the expenses of the Hospital having increased and being in excess of its income it is expedient that the Governors and Guardians of the Hospital should be at liberty to receive and charge remuneration and fees for the maintenance of patients in the Hospital and that for such purpose the Supplemental Charter of the 13th day of April 1886 be amended as hereinafter provided.

AND WHEREAS it is expedient that the power of altering annulling revoking and abrogating the bye-laws for the regulation government and advantage of the said Corporation and its properties and affairs and for the management of the said Hospital contained in the Supplemental Charter of the 13th day of April 1886 be amended as hereinafter provided.

AND WHEREAS the purpose aforesaid cannot be effected without the authority of the Oireachtas.

BE IT THEREFORE ENACTED BY THE OIREACHTAS
AS FOLLOWS:-

- Definitions. 1. - In this act unless the context otherwise requires the
The Charter. expression "The Charter" means the Royal Charter of Incorporation of the Governors and Guardians of the Hospital for Incurables near Dublin dated the 7th day of January 1800.
- The Supplemental Charter. The expression "the Supplemental Charter" means the Royal Charter dated the 13th day of April 1886 whereby the terms of the Charter were amended and extended.
- The Corporation. The expression "the Corporation" means the body corporate constituted by the Charter.
- Amendment of Clause 1 of Supplemental Charter. 2. - Clause 1 of the Supplemental Charter shall be read and construed as if the words "without fee or reward" where the same appear at the end thereof were deleted.

3. - Clause 5 of the Supplemental Charter shall be amended by the deletion therefrom of the following words, that is to say: "and it is our will and pleasure that all such bye-laws be approved by our Chancellor of Ireland, the Chief Justice of the Queen's Bench Division and the Master of the Rolls in Ireland or their successors in office or any one or more of them and so as such bye-laws be agreeable to the Laws and Statutes of our realm and the said Charter" and by the insertion in lieu thereof of the following words, that is to say: "that all such bye-laws be agreeable to the laws and statutes of Ireland and the said Charter and be approved by the Chief Justice for the time being, the President of the High Court for the time being and the Senior Ordinary Judge for the time being of the Supreme Court or any one or more of them and that the same shall have been furnished to the Minister for Health at least fourteen days prior to the date upon which the same is submitted for approval as aforesaid with a request that he should lay the same before each House of the Oireachtas."

Amendment of Clause 5 of Supplemental Charter.

4. - Save as hereby amended the Charter and Supplemental Charter shall be and remain in full force and effect.

Confirmation of Charter and Supplemental Charter as amended.

5. - The cost charges and expenses preliminary to and of and incidental to the preparing obtaining and passing of this Act shall be paid by the Corporation out of the funds of the Corporation.

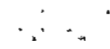
Costs of Act.

6. - This Act may be cited as the Royal Hospital for Incurables, Dublin (Charter Amendment) Act, 1953.

Short title.

Explanatory note which is not part of the instrument and which does not purport to be a legal interpretation.

This Act ends the former requirement to maintain patients in the hospital "without fee or reward" and sets out the procedure to be followed to bring into force bye-laws adopted for the management of the hospital.



STATUTORY INSTRUMENT
S.I. No. 244 of 1974

ROYAL HOSPITAL FOR INCURABLES,
DUBLIN

(CHARTER AMENDMENT) ORDER, 1974

DUBLIN

Published by the Stationery Office



S. I. No. 244 of 1974

**Royal Hospital for Incurables, Dublin (Charter Amendment)
Order, 1974**

The Minister for Health, on the application of the governing body of the Royal Hospital for Incurables, Dublin, in exercise of the powers conferred on him by section 76 of the Health Act, 1970 (No. 1 of 1970) after consultation with the Commissioners of Charitable Donations and Bequests for Ireland, hereby makes the following Order, a draft of which, pursuant to the said section 76, has been approved by a resolution passed by each House of the Oireachtas : -

1. This order may be cited as the Royal Hospital for Incurables, Dublin (Charter Amendment) Order, 1974.
2. The Charter of the Royal Hospital for Incurables, Dublin, dated 7th January, 1800 and the Supplemental Charter of the said Hospital dated 13th April, 1886, as amended by the Royal Licence dated 25th June, 1887 and by the Royal Hospital for Incurables, Dublin (Charter Amendment) Act, 1953 (No. 2 (Private) of 1953) shall be amended by the substitution as the name of the said Hospital of "the Royal Hospital, Donnybrook" for "the Royal Hospital for Incurables, Dublin".

GIVEN under the Official Seal
of the Minister for Health this
30th day of July, 1974.

BRENDAN CORISH
MINISTER FOR HEALTH

L.S.

Explanatory note which is not part of the instrument and which does not purport to be a legal interpretation.

This order changes the name of the Royal Hospital for Incurables, Dublin to the Royal Hospital, Donnybrook.



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STATUTORY INSTRUMENT

S. I. NO. 194 OF 1991

**ROYAL HOSPITAL, DONNYBROOK
(CHARTER AMENDMENT) ORDER, 1990
DUBLIN**

Published by the Stationery Office



**Royal Hospital, Donnybrook (Charter Amendment) Order,
1990**

WHEREAS the Governors and Guardians of the Hospital for Incurables near the City of Dublin was incorporated by Charter or Letters Patent (hereinafter referred to as "the charter"), under the Great Seal of Ireland, bearing date the 7th day of January, 1800;

AND WHEREAS a Supplemental Charter of Letters Patent (hereinafter referred to as "the Supplemental Charter"), bearing the date the 13th day of April, 1886 relating to the said Hospital was granted under the Great Seal of Ireland;

AND WHEREAS the Supplemental Charter was amended by the Royal Hospital for Incurables, Dublin (Charter Amendment) Act, 1953 (No. 2 (Private) of 1953);

AND WHEREAS the name of the Hospital was amended by the Royal Hospital for Incurables, Dublin (Charter Amendment) Order, 1974 (S. I. No. 244 of 1974) to the "Royal Hospital, Donnybrook";

AND WHEREAS the governing body of the Hospital have applied for amendment of the Charter and of the Supplemental Charter in the manner hereinafter appearing;

NOW THEREFORE, the Minister for Health in exercise of the power conferred on him by section 76 for the Health Act, 1970 (No. 1 of 1970) after consultation with the Commissioners of Charitable Donations and Bequests for Ireland, hereby makes the following Order, a draft of which, pursuant to the said section 76, has been approved by a resolution by each house of the Oireachtas: -

1. This Order may be cited as the Royal Hospital, Donnybrook (Charter Amendment) Order 1990.
2. The Charter and the Supplemental Charter as amended by the Royal Licence dated 25th June, 1887 and by the Royal Hospital for Incurables, Dublin (Charter Amendment) Act 1953 (No. 2 (Private) of 1953) and by the Royal Hospital for Incurables, Dublin (Charter Amendment) Order 1974 (S.I. No. 244 of 1974) shall be amended by the substitution as the name of the Hospital of "The Royal Hospital Donnybrook" for "the Royal Hospital, Donnybrook".
3. The Charter is hereby amended by the deletion of the words; - - -

“And we do hereby for us, our heirs and successors, further grant, order and ordain, that every person who shall subscribe and pay at one entire payment, any sum not less than TWENTY GUINEAS, to the use of said Hospital, shall, from the time of such payment and donation, be a Member of the said Corporation for life; and that every person who shall subscribe and pay any sum not less than FIVE GUINEAS, to the use of the said Hospital, shall for one year from the 1st day of January next ensuing such payment made, be a Member of the said Corporation; and it shall and may be lawful for the said Corporation, or any seven or more of them, duly convened by summons to be previously served six days, to elect by ballot such other discreet persons to be Members of the said Corporation, as to them may seem proper and useful to the said Charity. And further also, that it shall and may be lawful for the said Corporation, or any seven or more of them, duly convened by summons to be previously served six days, from time to time by a majority of voters without a ballot, to elect, choose and appoint a Treasurer, and such other Officer and Officers, Servant or Servants, as to them shall seem necessary for the better regulation of the said Hospital; and to appoint fit and proper Salary and Salaries to such person or persons as shall be so elected, not exceeding, in the whole, the annual sum of £50 Sterling. And further, that as often as it shall happen that any of the said persons so elected shall die, resign, or be removed, the said Governors and Guardians shall meet within fourteen days thereafter, at the said Hospital, and then and there, in manner aforesaid, elect a Successor or Successors to the person or persons who shall so die, resign, or be removed, as the case may be; and that if it shall happen that there shall be an equality of votes upon any such election, that the Chairman or President shall give a casting vote, beside his vote as a Member of the said Corporation”.

and the substitution therefore of the words: -

“And further that any person may apply to the Board of Management of the Corporation to become a Governor of the Hospital and the Board of Management may at its discretion appoint such persons as a governor; and that the Board of Management of the Corporation may from time to time appoint persons to be governors of the Hospital; and that appointments of governors shall be for such periods as the Board of Management of the Corporation shall determine”.

4. The amendment of the Charter effected under clause 3 of this Order shall not operate so as to terminate the appointment as a governor of the Hospital of any person who is a governor of the Hospital on the date of this Order.

5. The Supplemental Charter is hereby amended by the substitution for clauses 8, 9, 10, 11 and 12 of the following clauses: -
8. "And the Corporation may, at their discretion, purchase, take, lease, exchange or otherwise acquire any real or personal property and rights or privileges as they deem fit.
 9. And the Corporation may accept, hold, receive, retain any gifts of real or personal property given, demised or bequeathed by any person and to employ the same for the purposes or the benefit of the Corporation as they deem fit.
 10. And the Corporation may at their discretion, invest from time to time any monies and funds of the Corporation requiring investment in any manner as they deem fit.
 11. And the corporation may, at their discretion, sell, manage, develop, exchange, lease, enfranchise, dispose of, turn to account or otherwise deal with all or any part of the property, undertaking, rights, or assets of the Corporation and for such consideration as the Corporation may deem fit.
 12. And the Corporation may from time to time and at any time borrow money, and mortgage or charge all or any part of its property and assets of any kind without restriction as to the maximum amount of monies borrowed at any one time or otherwise howsoever".

GIVEN under the Official Seal of the
Minister for Health this
15th day of July, 1991

RORY O'HANLON
MINISTER FOR HEALTH

L.S.

Explanatory note which is not part of the instrument and which does not purport to be a legal interpretation.

This Statutory Order changes the name of the Royal Hospital, Donnybrook to

"The Royal Hospital Donnybrook"

It ends the provision whereby persons became Governors of the hospital on payment of moneys and substitutes a new procedure in lieu. It also clarifies the entitlements of the hospital in matters relating to property, gifts, investments, borrowing etc.



BYE - LAWS
for the
MANAGEMENT OF THE ROYAL HOSPITAL
DONNYBROOK
PURSUANT TO ITS CHARTER AND SUPPLEMENTAL
CHARTER

(As adopted by Resolution of the Governors on the 21st day of January, 1992 and approved by the Chief Justice, the President of the High Court and the Senior Ordinary Judge of the Supreme Court pursuant to Section 3 of the Royal Hospital for Incurables, Dublin (Charter Amendment) Act, 1953).

PATIENTS

1. (a) Consonant with provisions and intentions of the Charter dated 7th January, 1800 and the Supplemental Charter dated 13th April, 1886, as amended by the Royal Licence dated 25th June, 1887, the Royal Hospital for Incurables, Dublin (Charter Amendment) Act, 1953, the Royal Hospital for Incurables, Dublin (Charter Amendment) Order, 1974 and the Royal Hospital, Donnybrook (Charter Amendment) Order, 1990, the continuing object and purpose of The Royal Hospital Donnybrook is to provide for the care (including the provision of medical, nursing and other necessary services) of persons who are declared by qualified medical authority to need the care and medical attention which the Hospital can provide.
- (b) Any person who satisfies the requirements laid down from time to time by the Board of Management shall be eligible for admission to the Hospital.
- (c) The Board of Management shall have the right to accept or refuse admission. No admission can take place until such procedural steps as are laid down from time to time by the Board of Management have been satisfied. No person shall be refused admission to or be discharged from the Hospital by reason only of lack of means.
- (d) The Board of Management may arrange for the discharge or transfer of any patient from the Hospital.

GOVERNORS

2. Ten members shall form a quorum at the meetings of the Governors. Every Governor shall be entitled to attend and vote at such meetings.

PATRONS

3. Existing Patrons shall continue, and as such shall be entitled to attend and vote at meetings of the Governors and Board of Management.

GOVERNORS' MEETINGS AND BOARD OF MANAGEMENT

4. (a) The affairs of the Hospital and its management shall be wholly entrusted to a Board of Management consisting of not more than 25 Governors and the existing Patrons together with those persons who are co-opted by the Board of Management as provided for under sub-paragraph (d) herein.
- (b) The Governors and Patrons who under the previous Bye-Laws constituted the Managing Committee at the time when these Bye-Laws come into effect shall constitute the first Board of Management under these Bye-Laws.
- (c) The continuing members of the Board of Management shall have power at any time and from time to time to co-opt any Governor to be a member of the Board of Management in order to fill a casual vacancy. Any person so co-opted shall hold office only until the next following Annual General Meeting of the Governors when he shall retire, but he shall then be eligible for re-election.
- (d) The Board of Management shall have power to co-opt not more than five persons from public bodies with which the Hospital is associated, the period of co-option in each instance being for a time specified by the Board of Management.
- (e) An annual General Meeting of the Governors shall be held on a date fixed by the Board of Management which shall not be later than 31st October in any year, at which six members of the Board of Management (but not including the Patrons or those co-opted under sub-paragraph (d) herein) shall retire from office. The six members to retire in every year shall comprise those members co-opted under sub-paragraph (c) herein since the last Annual General Meeting together with those members who have been longest in office since their election, and as between persons whose last election to office took place on the same day, those to retire shall (unless they otherwise agree among themselves) be determined by lot. All members of the Board of

Management retiring in accordance with this paragraph shall be eligible for re-election.

- (f) Election of members to the Board of Management shall take place at the Annual General Meeting. The names of the Governors not being members of the Board of Management willing to become members thereof shall be sent to the Secretary-Manager with the names of proposers and seconders (who must be themselves Governors), four weeks before the Annual General Meeting. This requirement does not apply to those Governors retiring from the Board of Management and standing for re-election as provided for in sub-paragraph (e) herein.
- (g) Each Governor present at the Annual General Meeting shall be entitled to vote for the election of candidates to the Board of Management. The election of candidates shall be determined by ballot, or the votes of the Governors then present, but each candidate for election shall be voted upon separately. The number of candidates to be elected shall not exceed such number as, together with the number of continuing elected members, shall make 25. No candidate shall be elected who does not receive a majority of the votes of the Governors then present and voting. Those candidates who receive the highest number of votes shall be declared elected. In the case of an equality of votes, election shall then be determined by lot.
- (h) The Board of Management shall meet on such days as they shall themselves appoint, and shall at the first meeting following the Annual General Meeting elect a Chairman and Vice-Chairman who shall hold office until the first meeting of the Board of Management after the next Annual General Meeting, or until death, resignation or removal by Resolution of the Board of Management. On resigning from office the Chairman and Vice-Chairman shall be eligible for re-election. The Chairman, or in his absence the Vice-Chairman, shall preside at every meeting of the Governors and Board of Management. If neither the Chairman nor Vice-Chairman attend, the Governors or members then present shall choose one of their number to be Chairman at that meeting. Seven members shall form a quorum of the Board of Management.
- (i) The Chairman of each meeting shall, in addition to his own vote, have a casting vote in case of equality of voting on any question other than elections under sub-paragraph (g) herein.

- (j) The Board of Management may at any time appoint such Committees as it may think fit, and may prescribe the functions of and delegate any of its powers to any such Committee. The Board of Management or any Committee if so authorised by the Board of Management shall have power to co-opt any person it deems fit to any such Committee.
- (k) The Chairman and Vice-Chairman of the Board of Management and the Honorary Treasurer shall be entitled to attend all meetings of Committees as ex-officio members.

HONORARY TREASURER

5. The Honorary Treasurer shall be appointed by the Board of Management from its number, and be empowered to receive and give discharges for the income of the Hospital, and for legacies and donations. The appointment of the Honorary Treasurer shall take place every three years and he shall continue in office, if re-elected, or until death or resignation or removal by resolution of the Board of Management.

FINANCE

6. (a) All monies paid to the Bank shall be placed to the credit of the Hospital, and shall only be withdrawn by cheques or other written authorities signed by such person or persons or by facsimile signature or in such manner as the Board of Management may from time to time decide.
- (b) The accounts of the Hospital shall be audited annually by a firm of Chartered Accountants, who shall be appointed for that purpose by the Board of Management.

THE PERFORMANCE OF FUNCTIONS BY MEMBERS OF THE BOARD OF MANAGEMENT OR STAFF

7. (a) The Board of Management may perform any of its functions through or by any of its members or members of the staff of the Hospital duly authorised by it on that behalf.
- (b) The Board of Management shall have the power from time to time to make and alter such rules and regulations as it thinks fit, for the order of its own proceedings, and also for the administration of the Hospital.

STAFF OF THE HOSPITAL

8. The appointment of persons to such administrative, medical,

nursing and other posts as may be specified by the Board of Management from time to time shall be made by the Board of Management.

CONTRIBUTIONS BY PATIENTS

9. (a) The patients admitted to the Hospital shall be required to contribute to their maintenance as determined by the Board of Management. Any alteration in the means of a patient must be reported by the patient to the Board of Management.
- (b) Nothing in these Bye-Laws shall affect the position of patients who were elected at a duly convened meeting of the Governors under any previous Bye-Laws.

DECEASED PATIENTS

10. (a) The remains of all patients who die in the Hospital shall, if claimed, be delivered to their personal representatives and/or relatives. If the personal representatives and/or relatives of such patients do not claim their remains, the Hospital shall make such funeral arrangements as the Board of Management think fit.
- (b) On the death of any patient, the Board of Management, if it thinks fit, may hand over all or any part of the effects of that deceased patient to the person or persons appearing to be entitled thereto but in the event that the Board of Management is unable to satisfy itself as to the appropriateness of any such disposal or there is no claim in respect thereof, the Board of Management shall deal with the effects as it deems fit.
- (c) On the death of any patient, the Hospital shall be entitled to recover as a debt due by such patient to the Hospital the cost of maintenance of such patient in the Hospital and also the cost of funeral arrangements (if borne by the Hospital) less any payments received from the patient in respect thereof.

VISITING

11. (a) The Board of Management shall determine the arrangements that shall apply for entry into the Hospital for any purpose.
- (b) Religious services, addresses, or sacred music of any kind when permitted shall be confined to those areas of the Hospital designated by the Board of Management.

BORROWING POWERS

12. The Board of Management may exercise all powers of the Hospital to borrow money and to mortgage or charge its properties and assets or any part thereof of any kind without restriction as to the maximum amount of monies borrowed at any one time or otherwise howsoever.

CORPORATE SEAL

13. The Seal shall not be affixed to any document save in pursuance of a resolution of the Board of Management, and in the presence of a member of the Board of Management and the Secretary-Manager, or two members of the Board of Management.

SUMMONSES OR NOTICES

14. At least fourteen clear days notice should be given to each person entitled thereto of all meetings of the Governors, and such notice may be given either personally or by delivering the same at the residence of the person so entitled or by sending the same by post, prepaid to his/her last address registered in the books of the Hospital or by notice printed in one national newspaper.

PREVIOUS BYE-LAWS

15. The Bye-Laws as confirmed by the Board of Governors on 23rd June, 1953 and as amended by Resolution of the Board of Governors on 25th May, 1962 are hereby annulled.

21 January 1992.

The foregoing Bye-Laws were approved on
the 9th day of March 1992 by:

The Chief Justice,
The Honourable Mr. Justice Thomas Finlay,

The President of the High Court,
The Honourable Mr. Justice Liam Hamilton,

and

The Senior Ordinary Judge of the Supreme Court,
The Honourable Mr. Justice Anthony Hederman.

