

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER H5

HOSPITALS AND POOR RELIEF ACT

Showing the Law as at 15 December 2004

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates Act 11/2003, in force 1 January 2004

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HOSPITALS AND POOR RELIEF ACT

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HOSPITALS AND POOR RELIEF ACT

Interpretation

1. In this Act—

"poor and destitute person" means any and every person who, by reason of infancy, old age, illness, disease, bodily infirmity or mental incapacity is unable to maintain himself or herself.

(Act 11/2003, s.66)

Appointment of Poor Law Board

2. (1) It shall be lawful for the Governor in Council to appoint for Anguilla whenever he may deem it expedient so to do a Poor Law Board for the purpose of granting outdoor relief and of applying any sums which may be provided by the Legislature from time to time for the outdoor relief of destitute persons in Anguilla.

(2) The Poor Law Board shall consist of not more than 5 and not less than 3 persons, of whom any 2 shall form a quorum competent to transact business.

(3) The Governor in Council shall appoint from among the members of the Poor Law Board a chairman who shall preside at the meetings of the Board.

(4) The members of the Poor Law Board shall hold office during the pleasure of the Governor in Council.

Poor Law Board to grant outdoor relief

3. The Poor Law Board appointed under this Act is hereby authorised to grant as outdoor relief to each poor and destitute person (not being an inmate of any hospital) who is unable to help himself and has no means of support, an allowance not exceeding such sum as may from time to time be fixed by the Governor in Council.

Appointment of relieving officer

4. (1) The Poor Law Board may, with the approval of the Governor, appoint a person to be relieving officer for Anguilla and may with the like approval dismiss such relieving officer.

(2) A relieving officer shall receive such salary as may be approved by the Governor and shall perform such duties as may be assigned to him by the Poor Law Board.

Relief book

5. The Poor Law Board shall keep a book showing in detail the names of the paupers receiving outdoor relief, the amount of the allowance to each, the commencement and termination of the allowances, the name of the person to whom each payment was made, and the total amount of each weekly distribution.

Time and manner of paying poor relief

6. All allowances as outdoor relief granted under the authority of this Act shall be paid weekly at such place or places and on such days as the Poor Law Board granting them shall, from time to time

name for the purpose. The payments shall in all cases, when practicable, be paid to the grantee personally, and when not practicable the payment shall be made to someone authorised to receive the same, but the Poor Law Board shall in the latter case through their relieving officer ascertain if each sum has been duly received by the grantee.

Duty of family to relieve and maintain poor persons

7. (1) It shall be the duty of the father, grandfather, mother, grandmother or child of any poor and destitute person, if possessed of sufficient means, to relieve and maintain that person.

(2) Every man who marries a woman having a child (whether legitimate or illegitimate) at the time of the marriage is liable to maintain the child as part of his family until the child attains the age of 16 years, or until the death of the mother of the child.

(3) On the application of the Poor Law Board, the Magistrate may make an order requiring any person liable under subsection (1) or (2) for the maintenance of any person to maintain that person in such manner as may be set out in the order.

(4) Every person who makes default in complying with any order made by the Magistrate under the provisions of this section is liable to a penalty of $9.60 for each day during which such default shall continue.

Action by Poor Law Board in cases of desertion

8. Any married woman who is deserted by her husband, and who shall be or become a poor and destitute person may make application to the Poor Law Board for relief under the provisions of this Act, and the Poor Law Board may, with or without her consent, make application to the Magistrate for an order for the payment by the husband of such woman of a weekly sum not exceeding $2.40, and all proceedings on the application, and the summons and order thereon, and the enforcing of the order, shall be in accordance with, and subject to, all the provisions of the Magistrate's Code of Procedure Act, in cases of desertion, in the same manner as if the application had been made by the woman under the provisions thereof.

Action by Poor Law Board in cases of bastardy

9. If any single woman who may be with child, or who may be delivered of a bastard child, shall be or become a poor and destitute person, and shall make application to the Poor Law Board for relief under the provisions of this Act, the Poor Law Board may, with or without her consent, make application to the Magistrate for an order adjudging the alleged father of such child to be the putative father and for the payment by him of such weekly sum of money to such woman not exceeding $1.20, and all proceedings on the application, the summons thereon, the order, and the enforcing of it, shall be in accordance with, and subject to, all the provisions of the Magistrate's Code of Procedure Act, in the same manner as if the application had been made by the woman under the provisions thereof.

Recovery of burial expenses

10. It shall be lawful for the Poor Law Board in any case where it may appear expedient to pay the cost of, and expenses incidental to, the funeral of any person, and to recover the amount so paid from the person who under this Act was liable for the maintenance of the deceased person, or from any person intermeddling with or taking possession of any property of such person.

Relieving officer to sue for the Poor Law Board

11. All actions, suits, complaints, prosecutions and other proceedings by the Poor Law Board may be commenced and carried on by a relieving officer without naming him, thus: "The Relieving Officer of the …….. Hospital", or by any other person appointed by the Poor Law Board as the case may be, and all penalties imposed by this Act shall be recovered and enforced under the provisions of the Magistrate's Code of Procedure Act.

Regulations

12. (1) Subject to the provisions of this Act, the Governor in Council may make regulations with regard to all, or any of the following matters, that is to say—

(a) the application of any sums which may be provided by the Legislature, from time to time, for outdoor relief of destitute persons;

(b) for the better carrying out of the provisions of this Act;

and may attach a penalty, which shall not exceed $960 for any breach of any such regulations.

(Act 11/2003, s.66)

(2) All regulations made under this section shall be laid before the House of Assembly for approval at its sitting next after the making thereof.

Citation

13. This Act may be cited as the Hospitals and Poor Relief Act, Revised Statutes of Anguilla, Chapter H5.