



## CHAPTER 110

### An Act to amend the charter of the Notre-Dame Hospital, Montreal

[Assented to, the 7th of March, 1934]

**WHEREAS** the Notre-Dame Hospital, a benevolent cor- Preamble.  
poration of the city of Montreal, incorporated by  
the act 44-45 Victoria, chapter 48, and the amendments  
thereto: the acts 61 Victoria, chapter 82; 2 Edward VII,  
chapter 97; 7 Edward VII, chapter 121, and 14 George V,  
chapter 117, has, by its petition, prayed that amendments  
be made to its charter so as to amend its constitution and  
the powers of its board of management and of its medical  
council; and

Whereas it is expedient to grant the prayer contained  
in the said petition;

Therefore, His Majesty, with the advice and consent of  
the Legislative Council and of the Legislative Assembly of  
Quebec, enacts as follows:

**1.** Section 7 of the act 61 Victoria, chapter 82, as re- 61 Vict.,  
placed by the acts 7 Edward VII, chapter 121, section 5, c. 82, s. 7,  
and 14 George V, chapter 117, section 4, is again replaced replaced.  
by the following:

**“7.** Except in so far as is hereinafter provided regarding Administra-  
the medical board and medical council, the affairs of the tion by  
corporation are managed, and the corporation is governed, board of  
by a board of management consisting of twenty mem- manage-  
bers selected as follows: His Excellency the Archbishop of ment.  
Montreal, or his representative appointed every year by  
him; the Superior of the Seminary of St. Sulpice, or his re-  
presentative appointed every year by him; twelve life  
governors, elected every year at the annual meeting of the  
corporation; the presidents of the medical council and of

the medical board, *ex-officio*, and three members elected annually by the medical board chosen from the heads of the inside departments, the titular professors and the assistant heads.

*Ex-officio*  
member.

The mayor of the city of Montreal shall be *ex-officio* a member of the said board."

61 Vict.,  
c. 82, s. 8,  
replaced.

**2.** Section 8 of the said act, as replaced by the act 14 George V, chapter 117, section 5, is again replaced by the following:

Board of  
manage-  
ment may  
adopt by-  
laws.

"**8.** The board of management may adopt by-laws, not contrary to law nor inconsistent with the provisions of this act, for the management, control and government of the corporation, and for the purpose of assuring the existence of the hospital and of its branches or annexes, and, in particular, for fixing the date and the mode of proceeding for the affairs of the annual general meeting, of special meetings of the corporation, and the meetings of the board of management; the nomination, qualification, duties, conduct and remuneration of the officers, employees and servants of the corporation and of the hospital; the payment of subscriptions; the organization and maintenance of an association of lady-patrons or of other associations calculated to secure the proper working of the hospital; the sanctioning and the carrying out of all the decisions of the medical council; the determining of the quorum of its meetings and of the general meetings of the corporation."

61 Vict.,  
c. 82, s. 13,  
replaced.

**3.** Section 13 of the said act, as replaced by the act 14 George V, chapter 117, section 9, is again replaced by the following:

Vacancies  
on board of  
manage-  
ment.

"**13.** Every vacancy on the board of management, which arises in the course of the year through death, resignation or otherwise, is filled up for the remainder of the year: by the board of management, for the twelve members of the board elected at the annual general meeting; and, respectively, for their representatives, by His Excellency the Archbishop of Montreal, by the Superior of the Seminary of St. Sulpice, and by the medical board.

Vacancy on  
board not to  
affect  
powers.

Proviso.

No delay or negligence, however, in filling such vacancy, shall in any way affect the powers of the other members of the board of management, who, so long as they constitute at least a quorum of the board, continue to administer and govern, as if such vacancy did not exist."

**4.** The first paragraph of section 14 of the said act, as <sup>61 Viet.,</sup> amended by the act 2 Edward VII, chapter 97, section 1, <sup>c. 82, s. 14,</sup> and replaced by the act 14 George V, chapter 117, section 10, is again replaced by the following:

**"14.** The board of management appoints the officers, <sup>Appoint-</sup> employees and servants whom it deems necessary for the <sup>ments, etc.,</sup> purposes of the hospital and of the corporation, and fixes <sup>by board of</sup> their salaries and wages. It may also remove them if it <sup>manage-</sup> think proper."

**5.** Section 15 of the said act, as replaced by the act 14 <sup>61 Viet.,</sup> George V, chapter 117, section 11, is again replaced by <sup>c. 82, s. 15,</sup> the following: <sup>replaced.</sup>

**"15.** The medical council shall be composed of: 1. All <sup>Composition</sup> the heads of the inside departments of the hospital; 2. The <sup>of medical</sup> titular professors of the Medical Faculty of Montreal <sup>council.</sup> University, who shall then be physicians actively connected with the hospital; 3. The assistant heads of the inside departments of the hospital.

The medical council alone has the control of the medical <sup>Powers of</sup> and surgical administration of the hospital, and alone has <sup>same.</sup> the right, in accordance with the provisions of the present act in that respect, to select and recommend to the board of management the officers of the various medical and surgical services of the hospital and its annexes, and also to demand their removal, if need be. The same shall apply to the appointment of the assistants for the various medical and surgical services of the hospital and its annexes.

It may also make any regulation it may deem expedient <sup>Making of</sup> for the proper medical, surgical or scientific administration <sup>regulations</sup> of the hospital and its annexes and for determining the <sup>by same.</sup> powers, duties and the method of replacement, in case of vacancy, of its officers and of its executive committee, as well as the members of such committee, but questions relating to university teaching are within the jurisdiction of the titular professors of the Medical Faculty of Montreal <sup>Prior ap-</sup> University belonging to the medical council. Every such <sup>proval of</sup> regulation, however, before coming into force, must have <sup>regulations.</sup> the approval of the board of management.

Within the fifteen days preceding the annual general <sup>Election of</sup> meeting the members of the medical council shall meet to <sup>officers, etc.,</sup> elect its officers and executive committee. Such executive <sup>of same.</sup> committee shall be composed of seven members, four of whom shall be members of the Council of the Medical Faculty of Montreal University. Such appointments shall be subject to the approval of the board of management.

Composition of medical board. The medical board consists of the physicians, surgeons and specialists attached to the various departments of the institution as head of department, assistant head, titular professor, regular assistant and qualified assistant of the heads of departments.

Vacancies in executive committee of medical council. Every vacancy in the executive committee of the medical council must be filled without delay according to the manner provided by the regulations, and the medical council must likewise on its part recommend without delay to the board of management the names of the physicians, surgeons or specialists it deems suitable to fill any vacancies occurring in any of the departments of the hospital."

61 Vict., c. 82, s. 16, replaced. **6.** Section 16 of the said act, as replaced by the act 14 George V, chapter 117, section 12, is again replaced by the following:

Duration of office of medical board. **"16.** The members of the medical board remain in office so long as they retain their qualifications which render them suitable for the fulfilment of their duties.

Effect of absence without permission. Absence of any member for one year, without permission of the medical board, from the meetings of such board *ipso facto* entails his dismissal."

Continuing in office of present board. **7.** The present board of management of the hospital shall continue in office until a new board be elected in conformity with the provisions of this act.

Coming into force. **8.** This act shall come into force on the day of its sanction.