

Chapter:	1068	POK OI HOSPITAL INCORPORATION ORDINANCE	Gazette Number	Version Date
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		Long title		30/06/1997
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To provide for the incorporation of the Board of Directors of the Pok Oi Hospital.

[26 March 1954]

(Originally 10 of 1954)

Section:	1	Short title		30/06/1997
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This Ordinance may be cited as the Pok Oi Hospital Incorporation ordinance.

Section:	2	Interpretation		30/06/1997
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In this Ordinance, unless the context otherwise requires-

"board of directors" (董事局) means the board of directors of the hospital for the time being appointed in accordance with the constitution;

"constitution" (章程) means the constitution of the hospital approved

from time to time by the board of directors and filed with the Registrar of Companies; (Replaced 9 of 1960 s. 2)

"hospital" (醫院) means the Pok Oi Hospital of Yuen Long in the New Territories. (Amended 9 of 1960 s. 2)

Section:	3	Incorporation	41 of 1999	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 41 of 1999 s. 3

(1) The board of directors of the hospital and their successors in office shall be a body corporate, hereinafter called the corporation, and shall have the name of "Pok Oi Hospital", and in that name shall have perpetual succession and shall and may sue and be sued in all courts in Hong Kong and shall and may have and use a common seal. (Amended 41 of 1999 s. 3)

(2) The constitution shall be binding upon the corporation and a board of directors shall be appointed in accordance with the constitution the members of which shall be deemed to be members of the corporation after notice of their appointment has been filed with the Registrar of Companies. (Amended 9 of 1960 s. 3)

Section:	4	Powers of the corporation	L.N. 130 of 2007	01/07/2007
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Remarks:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

(1) The corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situate in Hong Kong, and also to invest moneys upon mortgage of any lands, buildings, debentures, stocks, funds, shares or securities of any corporation or company carrying on business or having an office in Hong Kong and also to purchase and acquire all goods and chattels of what nature or kind soever. (Amended 41 of 1999 s. 3)

(2) The corporation shall further have power to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuages or tenements, mortgages, debentures, stocks, securities, goods and chattels vested in the corporation on such terms as to the corporation may seem fit:

Provided that the powers of direction conferred by this section shall only be exercised for the purpose of endowing, supporting, maintaining, carrying on or otherwise promoting the work of the corporation as specified in the

constitution.

(3) The corporation shall cause to be filed with the Registrar of Companies the constitution as amended under subsection (4), and such amendments shall make provision for an executive committee responsible for the day to day administration of the hospital. (Added 9 of 1960 s. 4)

(4) The corporation may from time to time amend the constitution by resolution passed by a majority of not less than three-quarters of the directors for the time being:

Provided that the consent in writing of the Secretary for Food and Health shall have been obtained prior to the introduction of any such resolution. (Added 9 of 1960 s. 4. Amended L.N. 94 of 1974; L.N. 370 of 1981; L.N. 14 of 1983; L.N. 18 of 1983; L.N. 106 of 2002; L.N. 130 of 2007)

(5) The corporation shall be deemed to have delegated to the executive committee established under the constitution such of its functions as are necessary to enable the executive committee to administer efficiently the day to day affairs of the hospital, and may delegate to such committee such other of its functions as it shall see fit. (Added 9 of 1960 s. 4)

Section:	5	Seal		30/06/1997
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All deeds, documents and other instruments requiring the seal of the corporation shall be sealed with its common seal in the presence of two members of the board of directors and shall also be signed by them and such signing shall be taken as sufficient prima facie evidence of the due sealing of such deeds, documents and other instruments.

Section:	6	Saving	41 of 1999	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 41 of 1999 s. 3

Nothing in this Ordinance shall affect or be deemed to affect the rights of the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws, or the rights of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

(Amended 41 of 1999 s. 3)