VACCINATION

ORDER, DATED 29TH JUNE, 1948, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION TWO OF THE PUBLIC HEALTH AND LOCAL GOVERNMENT (ADMINISTRATIVE PROVISIONS) ACT (NORTHERN IRELAND), 1946.

Amended 1948 S Rto (N.I) 333 1948. No. 171

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred upon it by section two of the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland), 1946 (in this Order referred to as " the Act ") hereby orders as follows :—

1.—(1) This Order may be cited as the Public Health and Local Government (Transfer of Functions) (No. 6) Order (Northern Ireland), 1948.

(2) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say :—

" appointed day " means the fifth day of July, 1948 ;

" transferor " means the board of guardians of a poor law union ;

" transferee " means the health authority for the area in which the area or part of the area of the transferor is situate as the case may require.

(3) The Interpretation Act, 1921 applies for the purpose of the interpretation of this Order in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

2. The functions exercisable immediately before the appointed day by a transferor under the Vaccination (Ireland) Acts shall as from that day be transferred to the transferee.

3. The functions exercisable immediately before the appointed day under sections 147 and 251 (in so far as that section relates to proceedings relating to vaccination) of the Public Health (Ireland) Act, 1878—

(*a*) by a sanitary authority (except the councils of the county boroughs of Belfast and Londonderry) shall as from the appointed day be transferred to the health authority within whose area the area of that sanitary authority is situate ; and

(*b*) by the councils of the county boroughs of Belfast and Londonderry shall as from the appointed day be performed by the health committee of the respective county borough.

4. As from the appointed day :—

(*a*) any reference in the Vaccination (Ireland) Acts and in sections 147 and 251 of the Public Health (Ireland) Act, 1878 which may be construed as a reference to :—

(i) a transferor shall be construed as a reference to the transferee ;

(ii) the medical officer of a dispensary district shall be construed as a reference to a medical officer of health of a health authority.

(iii) a registrar of births and deaths (except in section 8 of the Vaccination (Ireland) Act, 1863) shall be construed as a reference to an officer of a health authority authorised by resolution of that health authority ;

(*b*) the following shall cease to have effect :—

(i) in section 7 of the Vaccination (Ireland) Act, 1863, the words " and of persons whom he himself may have successfully vaccinated as hereinbefore mentioned ;"

(ii) sections 9 to 11 of the Vaccination (Ireland) Act, 1863 ;

(iii) in section 5 of the Vaccination Amendment (Ireland) Act, 1879, from the words " Provided that " to the end of the section ;

(*c*) the application of section 11 of the Vaccination Amendment (Ireland) Act, 1879 shall be suspended for a period of 6 months ;

(*d*) there shall be made in any other enactment in force at the date of this Order such modifications and adaptations as may be required to bring it into conformity with the provisions of this Order.

5. The following provisions of this Article shall apply in relation to the functions transferred by this Order :—

(1) In the construction and for the purpose of any judgment, decree, award, deed, contract, byelaw, certificate or other document passed or made before the appointed day, any reference which may be construed as a reference to a transferor shall, as far only as may be necessary for the purpose or in consequence of the transfer, be construed as a reference to the transferee.

(2) The transfer shall not affect any order, regulation, rule, appointment, direction, instruction, approval, requirement or authorisation made or given or other thing done by a transferor before the appointed day but any such matter shall, if in force immediately before that day, continue in force to the like extent and subject to the like provisions as if it had been duly made, given or done by the transferee.

(3) Anything commenced before the appointed day by or on behalf of a transferor may, so far as it relates to any functions transferred, be carried on and completed by or on behalf of the transferee.

(4) Where at the appointed day any legal proceeding is pending to which a transferor is a party and the proceeding has reference to any functions transferred, the name of the transferee shall be substituted in the proceeding for the name of the transferor and the proceeding shall not abate by reason of the substitution.

6.—(1) Any adjustment relating to the property, assets, rights or liabilities of a transferor or to services to be provided by a transferor consequent upon the transfer of functions by this Order shall be the subject of agreements to be entered into by the transferor and the transferee, with the approval of the Ministry.

(2) In default of agreement aa aforesaid in relstion to any adjustment which either a transferor or a transferee deems necessary in consequence of the transfer of functions by this Order the matter in dispute shall be determined by the Ministry.

7. The provisions of section thirteen of the Act shall, as from the appointed day, extend and be applicable to any person designated by the transferee and employed immediately before the appointed day by a transferor partly for the purposes of the functions transferred by this Order and partly for other purposes :

Provided that this Article shall, if the transferee so determines and the Ministry approves, apply the provisions of the said section thirteen to the whole of the employment of that person for the purposes of any of the functions of the transferor transferable to the transferee under the Act.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this twenty-ninth day of June, one thousand nine hundred and forty-eight, in the presence of :—

(L.S.) *Thos. Elwood*,
Assistant Secretary.

ORDER, DATED 31ST DECEMBER, 1948, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS TWO AND TWENTY-EIGHT OF THE PUBLIC HEALTH AND LOCAL GOVERNMENT (ADMINISTRATIVE PROVISIONS) ACT (NORTHERN IRELAND), 1946.

1948. No. 333

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred upon it by Sections Two and Twenty-eight of the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland), 1946, (in this Order referred to as " the Act ") hereby orders as follows :—

1.—(1) This Order may be cited as the Public Health and Local Government (Transfer of Functions) (No. 6) (Amendment) Order (Northern Ireland), 1948, and shall come into force on the 5th day of January, 1949.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of this Order in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.