Sealed with the Official Seal of the Ministry of Health and Local Government this twenty-second day of December, one thousand nine hundred and fifty-eight, in the presence of

(L.S.) *John L. O. Andrews,*
Minister of Health and Local Government.

EXPLANATORY NOTE

(*This note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations amend the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1956, by prescribing oxygen equipment as an appliance which may be supplied as part of Pharmaceutical Services. They also provide for minor consequential amendments to the Regulations.

General Scheme: Modification

ORDER, DATED 21ST AUGUST, 1958, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION TWENTY-EIGHT OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1958. No. 140 **[NC]**

Whereas sub-section (4) of Section twenty-eight of the Health Services Act (Northern Ireland), 1948, provides that the Northern Ireland Hospitals Authority (in this Order referred to as "the Authority") may from time to time, after consultation with the Ministry of Health and Local Government (in this Order referred to as "the Ministry"), adopt a new general scheme providing for the modification of the general scheme for the time being in force:

And whereas the Authority has adopted and submitted to the Ministry a new general scheme providing for the modification of the general schemes adopted by the Authority on the 13th day of May, 1948, the 9th day of November, 1948, the 1st day of September, 1949, the 23rd day of December, 1949, the 1st day of March, 1951, the 23rd day of October, 1956, and the 16th day of May, 1957, and approved (with modifications) by the Ministry by Orders dated the 31st day of May, 1948(a), the 31st day of December, 1948(b), the 30th day of September, 1949(c), the 1st day of January, 1950(d), the 11th day of April, 1951(e), the 31st day of October, 1956(f), and the 18th day of September, 1957(g):

And whereas the Ministry thinks fit to approve the new general scheme:

(a) S.R. & O. 1948, No. 143.
(b) S.R. & O. 1948, No. 332.
(c) S.R. & O. 1949, No. 176.
(d) S.R. & O. 1950, No. 2.
(e) S.R. & O. 1951, No. 49.
(f) S.R. & O. 1956, No. 169.
(g) S.R. & O. 1957, No. 196.

Now, therefore, the Ministry hereby approves the new general scheme set out in the Schedule hereto.

Sealed with the Official Seal of the Ministry of Health and Local Government this twenty-first day of August, one thousand nine hundred and fifty-eight.

(L.S.) *L. G. P. Freer,*
Secretary.

SCHEDULE

New General Scheme made under the Provisions of the Health Services Acts (Northern Ireland), 1948-1955.

Whereas the Northern Ireland Hospitals Authority (hereinafter called "the authority") in exercise of the powers conferred on them by Section 28 of the Health Services Act (Northern Ireland), 1948 (hereinafter called "the Act") did on the thirteenth day of May, one thousand nine hundred and forty-eight, adopt a General Scheme (hereinafter called "the General Scheme"):

And whereas the said General Scheme was approved by the Ministry of Health and Local Government (hereinafter called "the Ministry") by Order made on the thirty-first day of May, one thousand nine hundred and forty-eight.

And whereas the said General Scheme has from time to time been modified as provided for in the Act:

And whereas the Authority after consultation with the Ministry have decided to adopt the new General Scheme hereinafter set forth:

Now therefore the Authority in exercise of the powers conferred on them by Section 28 of the Act and of all other powers them thereunto enabling do hereby adopt the following new General Scheme providing for the modification of the General Scheme, that is to say:

1. The Special Care Management Committee constituted by the Authority under the provision of the General Scheme shall be dissolved and shall cease to function as from the first day of October, one thousand nine hundred and fifty-eight.

2. It is hereby declared for the exclusion of doubt and without prejudice to the provisions of Section 36 of the Act that the Authority and the Authority's Mental Health Services Committee shall on and after the first day of October, one thousand nine hundred and fifty-eight, be responsible as before that date for the determination of the general policy for the development and operation of services under the Mental Health Act (Northern Ireland), 1948 (hereinafter called "the Mental Health Act") to such extent as the Act and the Mental Health Act permit them to determine such policy.

3. There shall be appointed by the Authority three Management Committees having the names set out hereunder. Each Management Committee shall on and after the first day of October, one thousand nine hundred and fifty-eight, manage and control the institution or the institutions named opposite its name and shall perform in relation to each such institution referred to opposite its name the functions set out in Section 29 of the Act subject to the provisions of the relevant Management Scheme to be made under that Section.

	Institutions
(i) Eastern Special Care Management Committee	Muckamore Abbey, Muckamore, Co. Antrim. Cultra House, Cultra, Co. Down.
(ii) Northern Special Care Management Committee	Templemore Special Care Centre, Londonderry.
(iii) South Western Special Care Management Committee	Tower Hill, Armagh, Co. Armagh. Bannvale, Gilford, Co. Down. Moyallon, Gilford, Co. Down. Drumarg House, Armagh, Co. Armagh.

4. Subject to the provisions of paragraph 2 of this Scheme, the provisions of the Act and of the Mental Health Act and the provisions of the Regulations made thereunder by the Ministry or of any Regulations or Order amending or superseding those Regulations, a Management Committee named in this Scheme shall on and after the first day of October, one thousand nine hundred and fifty-eight, perform the following functions of the Authority under the Mental Health Act that is to say:—

(i) the performance of the duties of the Authority under paragraph (*a*) of Section 20 of the Mental Health Act relating to the ascertainment of persons requiring special care other than any duties which the Authority determine it is necessary for the Authority themselves to perform to ensure the proper performance by the Authority of their functions under any of the other provisions of the Mental Health Act.

(ii) the performance of the duty under the provisions of paragraph (*b*) of Section 20 of the Mental Health Act to make or approve arrangements for the supervision of persons requiring special care:

Provided that where any such supervision appears to a Management Committee to be inadequate for the special care of any such person, the Management Committee shall make arrangements for securing that such person shall be placed under guardianship or admitted to and cared for in an institution in accordance with the provisions of Part III of the Mental Health Act.

(iii) the performance of the duty under the provisions of paragraph (*c*) of Section 20 of the Mental Health Act to make arrangements for the guardianship of a person requiring special care when placed under guardianship

whether with his consent (or that of his parents or guardian) or pursuant to a judical order made under Part III of the Mental Health Act.

(iv) the exercising of the power under paragraph (*b*) of Section 21 of the Mental Health Act to provide or co-operate in the provision of suitable training or occupation in premises provided by the Authority or, if the Authority approve, elsewhere for any persons requiring special care who are under supervision or guardianship.

(v) the exercising of the power under paragraph (*c*) of Section 21 of the Mental Health Act, in consultation with the Ministry of Labour and National Insurance, to provide or co-operate in the provision of suitable employment for persons requiring special care.

(vi) the exercising of the power under the provisions of paragraph (*f*) of Section 21 of the Mental Health Act to provide, if the Management Committee think fit, for the burial of the body of any person requiring special care and who immediately before his death was under care in or absent on licence from an institution or under guardianship, and the exercising of the power to recover as a civil debt from any person liable therefor the amount of any expenses so incurred.

5. Notwithstanding any of the foregoing provisions of this Scheme, a person shall not be appointed to be an officer of the Authority except as provided in Section 57 of the Act, or in paragraph (*e*) of Section 20 of the Mental Health Act or in a Management Scheme made under Section 29 of the Act.

6. The new General Scheme made by the Authority on the twenty-third day of October, one thousand nine hundred and fifty-six shall as from the first day of October, one thousand nine hundred and fifty-eight cease to have effect.

7. The General Scheme shall be read and shall operate as modified by this new General Scheme.

Sealed with the Common Seal of the Northern Ireland Hospitals Authority this tenth day of July, one thousand nine hundred and fifty-eight.

(L.S.) *W. McKinney*
H. Anderson } Members of the Authority.

E. H. Jones, Secretary of the Authority.