STATUTORY INSTRUMENTS

1962 No. 687

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

HOSPITAL AND SPECIALIST SERVICES

The National Health Service (Designation of London Teaching Hospitals) Order 1962

Made - - - - 30*th March*, 1962
Coming into Operation 1*st April*, 1962

The Minister of Health, in exercise of the powers conferred on him by sections 11 and 75 of the National Health Service Act 1946(a), and of all other powers enabling him in that behalf and after consultation with the University of London, hereby orders as follows:—

1. This order may be cited as the National Health Service (Designation of London Teaching Hospitals) Order 1962, and shall come into operation on the 1st April 1962.

2.—(1) In this order the following expressions have the meanings hereby assigned to them:—

"the Act" means the National Health Service Act 1946;

"the appointed day" means the 1st April 1962;

"the first Board" means the Board of Governors of the Royal Free Hospital;

"the second Board" means the North West Metropolitan Regional Hospital Board;

"the Committee" means the Royal Northern Group Hospital Management Committee;

"the hospital" means the Elizabeth Garrett Anderson Hospital, N.W.1. (including The Rosa Morrison House, New Barnet, Herts., and the Garrett Anderson Hospital Maternity Home, Belsize Grove, N.W.3.).

(2) The Interpretation Act 1889(b), shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

3. The National Health Service (Designation of London Teaching Hospitals) Order, 1957(c), as amended(d), shall be further amended as follows:—

(1) In column (2) of the First Schedule (which Schedule prescribes designated teaching hospitals) opposite the name "The Royal Free

(a) 9 & 10 Geo. 6. c. 81. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1957/488 (1957 I, p. 1452).
(d) S.I. 1958/505, 1959/518, 766, 1961/2271 (1958 II, p. 1543; 1959 I, pp. 1817, 1821; 1961 III, p. 3979).

Hospital" in column (1), the words "The Elizabeth Garrett Anderson Hospital, N.W.1 (including The Rosa Morrison House, New Barnet, Herts. and the Garrett Anderson Hospital Maternity Home, Belsize Grove, N.W.3)." shall be deleted.

(2) In the said column (2), opposite the name "Westminster Hospital" in column (1) the words "and the Yarrow Home of Westminster Hospital for Convalescent Children, Broadstairs, Kent" shall be deleted.

4.—(1) All officers employed by the first Board immediately before the appointed day solely at or for the purposes of the hospital shall on that day be transferred to and become officers of the second Board.

(2) All officers employed by the first Board immediately before the appointed day partly at the hospital and partly at another hospital, shall on that day become officers of the second Board in relation to their work at the hospital and all rights and liabilities under the contract in relation thereto with the first Board shall be transferred to the second Board.

Provided that any officer to whom this paragraph applies and who was in whole-time employment immediately before the appointed day shall continue to be subject to the remuneration and other conditions of service applicable to a whole-time officer so long as his employment for both the first and the second Boards amounts in the aggregate to whole-time employment.

5.—(1) Any property immediately before the appointed day held under section 59 of the Act by the first Board for the purposes of the hospital shall on that day be transferred to and vest without further conveyance in the Committee and be held by them for the like purposes.

(2) Any property immediately before the appointed day held under section 60 of the Act by the first Board so far as practicable for the purposes of the hospital, shall on that day be transferred to and vest without further conveyance in the Committee and be applied so far as practicable for the like purposes.

6. Subject as aforesaid any property immediately before the appointed day belonging to the first Board and held solely for the purposes of the hospital shall on that day be transferred to the Committee.

7. On the appointed day 16⅔ per centum of all property held by the first Board under the provisions of section 7 of the Act calculated with reference to market values on that day, shall be transferred to the Hospital Endowments Fund and the shares of the second Board and the Committee in the net capital sum referred to in the National Health Service (Apportionment of Hospital Endowment Fund) Regulations, 1949(a), shall each be increased by the equivalent of half the transferred sum.

8. Subject as aforesaid all rights and liabilities to which the first Board were entitled or subject immediately before the appointed day, being rights or liabilities acquired or incurred solely in respect of the hospital shall on that day be transferred to and vest in the Committee.

9. Any pending proceedings to which the first Board are a party relating solely to any property, rights or liabilities transferred under the aforesaid provisions of this Order and pending at the appointed day shall not be prejudicially affected by reason of such transfer, but any such proceedings

(a) S.I. 1949/482 (1949 I, p. 2595).

shall be amended in such manner as may appear necessary or proper for enabling them to be prosecuted and enforced by or against the Board or Committee to which the property, rights or liabilities were transferred.

Given under the official seal of the Minister of Health on 30th March, 1962.

(L.S.)

T. E. H. Hodgson,
Under Secretary,
Ministry of Health.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the National Health Service (Designation of London Teaching Hospitals) Order, 1957—

(*a*) by removing the Elizabeth Garrett Anderson Hospital from the group of hospitals designated as a teaching hospital under the name of the Royal Free Hospital;

(*b*) by removing the Yarrow Home of Westminster Hospital for Convalescent Children, Broadstairs, Kent, in consequence of the closing of that hospital, from the group of hospitals designated as a teaching hospital under the name of the Westminster Hospital.

The Order provides for consequential matters relating to officers and property connected with the aforementioned Elizabeth Garrett Anderson Hospital.