STATUTORY INSTRUMENTS

1964 No. 453

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

HOSPITAL AND SPECIALIST SERVICES

The National Health Service (Designation of London Teaching Hospitals) Order 1964

Made - - - - 20*th March* 1964
Coming into Operation 1*st April* 1964

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 1964, and shall come into operation on 1st April 1964.

2.—(1) In this order—

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

"the appointed day" means 1st April 1964;

"the Board of Governors" means the Board of Governors of King's College Hospital;

"the Hospital Board" means the South East Metropolitan Regional Hospital Board;

"the Management Committee" means the Camberwell Hospitals Management Committee.

(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. In column (2) of Schedule 1 to the National Health Service (Designation of London Teaching Hospitals) Order 1957(c) as amended(d) (which Schedule lists the designated London teaching hospitals), after the names of the hospitals listed against the name of King's College Hospital in column (1) there shall be added the words "Dulwich Hospital, London, S.E.22.".

4.—(1) All officers of the Hospital Board employed immediately before the appointed day solely for the purposes of Dulwich Hospital shall on that day be transferred to and become officers of the Board of Governors.

(2) All medical and dental officers of the Hospital Board employed immediately before the appointed day partly at and for the purposes of Dulwich Hospital and partly at and for the purposes of any other hospital shall on that day become officers of the Board of Governors in relation to their work at Dulwich Hospital, and all rights and liabilities under their contract in relation thereto with the Hospital Board shall be transferred to the Board of Governors.

(a) 9 & 10 Geo. 6. c. 81. (b) 52 & 53 Vict. c. 63. (c) S.I. 1957/488 (1957 I, p. 1452).
(d) There is no amendment which relates to the subject matter of this order.

(3) Any other officer of the Hospital Board who is employed immediately before the appointed day partly for the purposes of Dulwich Hospital and who receives before that day notice in writing from the Hospital Board that he is to be transferred to the Board of Governors shall on that day be transferred to and become an officer of the Board of Governors.

(4) Any officer to whom paragraph (2) of this article applies and whose employment was whole-time 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 Hospital Board and the Board of Governors amounts in the aggregate to whole-time employment.

5. On the appointed day there shall be transferred to and vest without further conveyance in the Board of Governors—

(*a*) any property held immediately before the appointed day by the Management Committee—

(i) under section 59 of the Act for the purposes of Dulwich Hospital and

(ii) under section 60 of the Act so far as practicable for the purposes of Dulwich Hospital ; and

(*b*) any other property held by the Management Committee and any rights and liabilities to which they were entitled or subject immediately before the appointed day so far as these relate solely to Dulwich Hospital.

6. On the appointed day capital assets equivalent to assets of the Hospital Endowments Fund with a market value of £17,400 on 5th July 1948 shall be transferred from the Fund to the Board of Governors, and the respective shares of the Hospital Board and the Management Committee in the net capital sum referred to in the National Health Service (Apportionment of Hospital Endowment Fund) Regulations 1949(**a**) shall each be reduced by the sum of £8,700.

7. Any action or proceeding or any cause of action or proceeding, pending or existing at the appointed day, by, or against, the Hospital Board or the Management Committee solely in respect of any property, right or liability transferred by this order shall not be prejudicially affected by reason of this order, and may be continued, prosecuted and enforced by, or against, the Board of Governors.

Given under the official seal of the Minister of Health on 20th March 1964.

(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 by including Dulwich Hospital in the group of hospitals designated as King's College Hospital.

The Order provides for consequential matters relating to officers and property connected with that hospital.

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