1966 No. 288

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

HOSPITAL AND SPECIALIST SERVICES

The National Health Service (Designation of London Teaching Hospitals) (No. 2) Order 1966

Made - - - - 16*th March* 1966

Coming into Operation 1*st April* 1966

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) (No. 2) Order 1966 and shall come into operation on 1st April 1966.

2.—(1) In this order—

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

"the appointed day" means 1st April 1966;

"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 Group Hospital Management Committee;

"the transferred hospitals" means those hospitals named in article 4 hereof.

(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. On the appointed day, the Management Committee shall be dissolved.

4. 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 "St. Giles' Hospital, London, S.E.5, St. Francis' Hospital, London, S.E.22, Lambeth Chest Clinic, London, S.E.22, The Rheumatism and Physical Treatment Clinic, London, S.E.22, The South-East London General Practitioners Centre, London, S.E.15.".

(a) 9 & 10 Geo. 6. c. 81. (b) 52 & 53 Vict. c. 63. (c) S.I. 1957/488 (1957 I, p. 1452).
(d) The relevant amending instrument is S.I. 1964/453 (1964 I, p. 723.)

5.—(1) All officers of the Hospital Board employed immediately before the appointed day solely at or for the purposes of the transferred hospitals or any of them 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 the transferred hospitals 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 the transferred hospitals and all rights and liabilities under their contract in relation thereto with the Hospital Board shall be transferred to the Board of Governors.

(3) Any other officer of the Hospital Board who is employed immediately before the appointed day partly at or for the purposes of the transferred hospitals and who does not receive before that day notice in writing from the Hospital Board that he is not 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 who is transferred to the Board of Governors under this article 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.

6. 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 Hospital Board or the Management Committee—

(i) under section 59 of the Act for the purposes of the transferred hospitals, and

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

(*b*) any other property held by the Hospital Board or the Management Committee and any rights and liabilities to which either of them were entitled or subject immediately before the appointed day so far as these relate to the transferred hospitals.

7. On the appointed day capital assets equivalent to assets of the Hospital Endowments Fund with a market value of £29,462 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 be reduced by the sum of £14,731.

8. Any officer employed immediately before the appointed day at or for the purposes of any of the transferred hospitals managed by the Management Committee who suffers loss of employment or loss or diminution of emoluments which is attributable to this order shall be entitled to have his case considered for the payment of compensation at the like rate and in the like manner and subject to the like conditions as if he had been entitled to claim compensation under the Local Government (Executive Councils) (Compensation) Regulations 1964(**b**) as amended(**c**); and those regulations (except regulations 3, 4 and 5 thereof) shall apply for this purpose as if they had been set out in this order with the modifications that—

(**a**) S.I. 1949/482 (1949 I, p. 2595). (**b**) S.I. 1964/1177 (1964 II, p. 2696).
(**c**) S.I. 1966/254 (1966 I, p. 653).

(*a*) references to the "material date" shall be construed as references to the appointed day, and

(*b*) references to "any such provision as is mentioned in regulation 4 of these regulations" shall be construed as references to this order.

9. 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 16th March 1966.

(L. S.)

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

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order amends the National Health Service (Designation of London Teaching Hospitals) Order 1957 by including St. Giles' Hospital, St. Francis' Hospital, Lambeth Chest Clinic, The Rheumatism and Physical Treatment Clinic and the South East London General Practitioners Centre in the group of hospitals designated as King's College Hospital and provides for consequential matters relating to officers and property connected with those hospitals.