STATUTORY INSTRUMENTS

1968 No. 490

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

HOSPITAL AND SPECIALIST SERVICES

The National Health Service (Designation of London Teaching Hospitals, etc.) Order 1968

Made - - -	*26th March* 1968
Coming into Operation	*1st April* 1968

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, etc.) Order 1968 and shall come into operation on 1st April 1968.

2.—(1) In this order—

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

" the appointed day " means 1st April 1968;

" Board of Governors " means a Board of Governors specified in column (4) of the schedule;

" Hospital Board " means a Regional Hospital Board specified in column (2) of the schedule;

" Management Committee " means a Hospital Management Committee specified in column (3) of the schedule and, for the purposes of article 12 of this order, includes the old Committee;

" the Minister " means the Minister of Health;

" the new Committee " means the St. Charles's Group Hospital Management Committee;

" the new scheme " means the new scheme providing for the termination of the functions of the old Committee and the appointment of the new Committee to exercise those functions submitted to the Minister by the North-West Metropolitan Regional Hospital Board under section 11(5) of the Act and approved by the Minister with effect from the appointed day;

" the old Committee " means the Paddington Group Hospital Management Committee;

(a) 1946 c. 81.

" the principal order " means the National Health Service (Designation of London Teaching Hospitals) Order 1957(a) as amended(b);

" the schedule " means the schedule to this order;

" the transferred hospitals " means the hospitals whose names are added to column (2) of schedule 1 to the principal order by article 7 of this order and whose names appear in column (1) of the schedule.

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

3. As from the appointed day, the old Committee shall be dissolved.

4. The sum of £16,203, being the apportioned share in the net capital sum of the Hospital Endowments Fund calculated with reference to values on 5th July 1948 and allotted to the old Committee, shall on the appointed day be re-allotted to the new Committee.

5. On the appointed day there shall be transferred to and vest without further conveyance in the new Committee—

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

(i) under section 59 of the Act for the purposes of any hospital or hospitals (other than the Paddington General Hospital and the National Temperance Hospital) managed by it, and

(ii) under section 60 of the Act so far as practicable for the purposes of any such hospital or hospitals (other than those excluded in sub-paragraph (*a*)(i) of this article);

(*b*) any other property held by the old Committee and any rights and liabilities (other than property, rights and liabilities in respect of the hospitals excluded in sub-paragraph (*a*)(i) of this article) to which it was entitled or subject immediately before the appointed day;

(*c*) any such property as is mentioned in paragraphs (*a*) and (*b*) of this article held by the Central Middlesex Group Hospital Management Committee for the purposes of the Marlborough Day Hospital, 38, Marlborough Place, London, N.W.8.

6. The new Committee shall be responsible for closing the accounts of the old Committee and with respect to these accounts references in regulation 19 of the National Health Service (Hospital Accounts and Financial Provisions) Regulations 1948(d) to " the Chief financial officer ", " the Secretary " and " the Committee " shall be deemed to be references to the chief financial officer and the secretary of the new Committee and to the new Committee respectively.

7. Column 2 of schedule 1 to the principal order (which column prescribes hospitals or groups of hospitals designated as teaching hospitals) shall be further amended as follows:—

(1) Opposite the name " The Hospital for Sick Children " in column (1) there shall be added the words " Queen Elizabeth Hospital for Children, Hackney Road, E.2. (including the Little Folks Home, Bexhill and the Queen Elizabeth Hospital for Children, Banstead Branch) ";

(a) S.I. 1957/488 (1957 I, p. 1452). (b) S.I. 1964/453 (1964 I, p. 723).
(c) 1889 c. 63. (d) S.I. 1948/1414 (Rev. XV. p. 734: 1948 I, p. 2083).

(2) Opposite the name " The London Hospital " in column (1) there shall be added the words " Mile End Hospital, E.1." and the words " St. Clement's Hospital, Bow ";

(3) Opposite the name " The Royal Free Hospital " in column (1) there shall be added the words " New End Hospital, N.W.3." and the words " Coppetts Wood Hospital, N.10 ";

(4) Opposite the name " St. Mary's Hospital " in column (1) there shall be added the words " Paddington General Hospital, W.9.";

(5) Opposite the name " University College Hospital " in column (1) there shall be added the words " National Temperance Hospital, N.W.1.";

(6) Opposite the name " St. Thomas' Hospital " in column (1) there shall be added the words " South-Western Hospital, S.W.9." and the words " 'Holmhurst', 46, Half Moon Lane, Herne Hill, S.E.24.".

8.—(1) All officers employed immediately before the appointed day solely at or for the purposes of a transferred hospital being officers of a Hospital Board specified against the name of that hospital in the schedule shall on that day be transferred to and become officers of the Board of Governors similarly specified.

(2) The provisions of paragraph (1) of this article shall apply in like manner to all medical and dental officers employed immediately before the appointed day partly at or for the purposes of such transferred hospital and partly at or for the purposes of any other hospital who shall on the appointed day become officers of such Board of Governors in relation to their work at such transferred hospital and all rights and liabilities under their contract in relation thereto with such Hospital Board shall be transferred to such Board of Governors.

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

(4) Any officer who is transferred to a 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 such Hospital Board and such Board of Governors amounts in the aggregate to whole-time employment.

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

(*a*) any property held immediately before the appointed day by the Hospital Board or the Management Committee specified against the name of that Board of Governors in the Schedule—

(i) under Section 59 of the Act for the purposes of the transferred hospital specified against the name of such Board of Governors, and

(ii) under Section 60 of the Act so far as practicable for the purposes of such transferred hospital; and

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

10. On the appointed day capital assets equivalent to assets of the Hospital Endowments Fund with a market value on 5th July 1948 of the amount specified in column (5) of the schedule against the name of the transferred hospital specified in column (1) thereof shall be transferred from the said Fund to the Board of Governors specified against the name of such transferred hospital in column (4) thereof and the respective shares of the Hospital Board and of the Management Committee specified against the name of such transferred hospital in columns (2) and (3) thereof 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 amount specified against the name of such transferred hospital in column (6) thereof.

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

12. Any officer employed immediately before the appointed day at or for the purposes of any hospital managed by a Management Committee who suffers loss of employment or loss or dimunition of emoluments which is attributable to the making of the new scheme or of 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*) 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 the new scheme or to this order.

Given under the official seal of the Minister of Health on 26th March 1968.

(L.S.)

J. Hauff,
Under Secretary,
Ministry of Health.

(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).

SCHEDULE

Hospital	Regional Hospital Board	Hospital Management Committee	Board of Governors	Funds transferred to Board of Governors	Funds transferred from (6)	
(1)	(2)	(3)	(4)	(5)	R.H.B.	H.M.C.
Queen Elizabeth Hospital for Children, Hackney Road, E.2. (including the Little Folks Home, Bexhill and the Queen Elizabeth Hospital for Children, Banstead Branch) ...	North-East Metropolitan	Hackney and Queen Elizabeth Group	The Hospital for Sick Children	£11,642	£5,821	£5,821
Mile End Hospital, E.1. ...	North-East Metropolitan	East London Group	The London Hospital	£23,872	£11,936	£11,936
St. Clement's Hospital, Bow.	North-East Metropolitan	Thames Group	The London Hospital	£2,144	£1,072	£1,072
New End Hospital, N.W.3. ...	North-West Metropplitan	North London Group	The Royal Free Hospital	£10,928	£5,464	£5,464
Coppetts Wood Hospital, N.10.	North-West Metropolitan	North London Group	The Royal Free Hospital	£6,052	£3,026	£3,026
Paddington General Hospital, W.9.	North-West Metropolitan	Paddington Group	St. Mary's Hospital	£28,116	£14,058	£14,058
National Temperance Hospital, N.W.1	North-West Metropolitan	Paddington Group	University College Hospital	£6,640	£3,320	£3,320
South-Western Hospital, S.W.9.	South-West Metropolitan	South-West London Group	St. Thomas' Hospital	£12,566	£6,283	£6,283

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 allocating eight additional hospitals between six of the groups of London Teaching Hospitals.

The Order dissolves the Paddington Group Hospital Management Committee, which is replaced by the St. Charles's Group Hospital Management Committee to whom the management of the Marlborough Day Hospital is transferred from the Central Middlesex Hospital Management Committee.

It also provides for consequential matters relating to officers and property connected with the transferred hospitals.