STATUTORY INSTRUMENTS

1969 No. 1425

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (Hospital Endowments Fund—Distribution of Income) Regulations 1969

Made - - -	*2nd October* 1969
Laid before Parliament	*10th October* 1969
Coming into Operation	*13th October* 1969

The Secretary of State for Social Services in exercise of his powers under section 7(1) of the Health Services and Public Health Act 1968(a) and of all other powers enabling him in that behalf hereby makes the following regulations :—

1. These regulations may be cited as the National Health Service (Hospital Endowments Fund—Distribution of Income) Regulations 1969 and shall come into operation on 13th October 1969.

2.—(1) In these regulations—

"financial year" means a period of twelve months ending on 31st March ;

"number of occupied beds" means the average number of beds occupied nightly during the calendar year last preceding the financial year in respect of which the distribution is to be made.

(2) The Interpretation Act 1889(b) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. In respect of the financial year ending 31st March 1970 and each subsequent financial year, the income of the Hospital Endowments Fund shall be distributed amongst the several Regional Hospital Boards and Hospital Management Committees in accordance with the following provisions of these regulations.

4.—(1) The Secretary of State shall estimate, on the basis of such information as is available to him at the time—

(*a*) the number of occupied beds maintained by each Regional Hospital Board and under the control and management of each Hospital Management Committee, and

(*b*) the number of such occupied beds used for the treatment of geriatric or chronic sick or mentally ill or mentally sub-normal patients,

and the sum of the numbers so estimated for each Board or Committee (as the

(a) 1968 c. 46. (b) 1889 c. 63.

case may be) shall be the relevant number for that Board or Committee for the purposes of this regulation.

(2) One half of the sum to be distributed in respect of each financial year shall be apportioned amongst the Regional Hospital Boards, and the share allotted to each Board shall bear the same relation to the total sum to be apportioned amongst all the Boards as the relevant number for that Board bears to the total of the relevant numbers for all Boards.

(3) One half of the sum to be distributed in respect of each financial year shall be apportioned amongst the Hospital Management Committees, and the share allotted to each Hospital Management Committee shall bear the same relation to the total sum to be apportioned amongst all the Committees as the relevant number for that Committee bears to the total of the relevant numbers for all Committees.

5. Payment of the sum due in respect of each financial year to each of the said Boards and Committees shall be made in two instalments on such days as the Secretary of State may decide.

6. Notwithstanding anything in regulation 4 of these regulations—

(*a*) where under an order made by the Secretary of State under sections 11 and 75 of the National Health Service Act 1946(**a**)—

(i) a part of the area of a Regional Hospital Board is transferred to the area of another Regional Hospital Board ; or

(ii) a hospital is included in, or excluded from, a group of hospitals designated as a teaching hospital ; or

(*b*) where under a scheme made under section 11 of the said Act a hospital under the control and management of a Hospital Management Committee is transferred to the control and management of another Management Committee,

the Secretary of State may vary the proportion in which the said income is to be distributed amongst the Regional Hospital Boards or Hospital Management Committees affected by such transfer, having regard to the number of occupied beds affected by such order or scheme.

R. H. S. Crossman,
Secretary of State for Social Services.

2nd October 1969.

EXPLANATORY NOTE

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

Under section 7(5)(*c*) of the National Health Service Act 1946 and regulations made thereunder the income of the Hospital Endowments Fund, established under that section, was distributed amongst hospital authorities

(**a**) 1946 c. 81.

proportionately to their shares in the capital value of the Fund which was apportioned on the basis of the number of beds maintained or controlled by them on 31st December 1948. These regulations provide that the amount of the income of the Fund distributed in respect of any financial year is, subject to any transfer of beds between hospital authorities, to be apportioned on the basis of the average number of occupied beds during the last preceding calendar year in the hospitals, but the number of such beds used for the treatment of geriatric, chronic sick, mentally ill or mentally sub-normal patients shall be counted twice.