EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purpose.)

The purpose of these Regulations is broadly to establish uniformity in wording and layout with the Voluntary Grammar School Building Grants Regulations (S.R. & O. (N.I.) 1964, No. 7). The provisions of the revoked Regulations have been retained within the limits of the revised wording and layout.

1964. No. 214 **[NC]**

HEALTH SERVICES

General Scheme: Modification

ORDER, DATED 30TH DECEMBER, 1964, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION 28 OF THE HEALTH SERVICES ACT (NORTHERN IRELAND) 1948.

Whereas section 28(4) of the Health Services Act (Northern Ireland) 1948(**a**) provides that the Northern Ireland Hospitals Authority (in this Order referred to as "the Authority") may from time to time, after consultation with the Ministry of Health and Local Government (in this Order referred to as "the Ministry"), adopt a new general scheme providing for the modification of the general scheme for the time being in force:

And whereas the Authority has adopted and submitted to the Ministry a new general scheme providing for the modification of the general scheme already adopted by the Authority and approved by the Ministry by Order dated 31st May, 1948(**b**), as modified by new general schemes adopted by the Authority and approved by the Ministry by Orders dated 31st December, 1948(**c**), 30th September, 1949(**d**), 1st January, 1950(**e**), 11th April, 1951(**f**), 31st October, 1956(**g**), 18th September, 1957(**h**), 21st August, 1958(**i**), 26th March, 1959(**j**), 18th December, 1959(**k**), 3rd February, 1961(**l**), 20th March, 1962(**m**), 30th October, 1962(**n**), 29th May, 1963(**o**), and 28th September, 1964(**p**).

And whereas the Ministry thinks fit to approve the new general scheme:

Now, therefore, the Ministry, in exercise of the powers conferred upon it by section 28 of the Health Services Act (Northern Ireland) 1948, and of all other powers so enabling, hereby orders as follows:—

(**a**) 1948. c. 3.
(**b**) S.R. & O. (N.I.) 1948, No. 143.
(**c**) S.R. & O. (N.I.) 1948, No. 332.
(**d**) S.R. & O. (N.I.) 1949, No. 176.
(**e**) S.R. & O. (N.I.) 1950, No. 2.
(**f**) S.R. & O. (N.I.) 1951, No. 49.
(**g**) S.R. & O. (N.I.) 1956, No. 169.
(**h**) S.R. & O. (N.I.) 1957, No. 196.
(**i**) S.R. & O. (N.I.) 1958, No. 140.
(**j**) S.R. & O. (N.I.) 1959, No. 55.
(**k**) S.R. & O. (N.I.) 1959, No. 191.
(**l**) S.R. & O. (N.I.) 1961, No. 22.
(**m**) S.R. & O. (N.I.) 1962, No. 45.
(**n**) S.R. & O. (N.I.) 1962, No. 192.
(**o**) S.R. & O. (N.I.) 1963, No. 113.
(**p**) S.R. & O. (N.I.) 1964, No. 153.

1. This Order may be cited as the Health Services (General Scheme Modification) (No. 2) Order (Northern Ireland) 1964.

2. The Ministry hereby approves the new general scheme as set out in the Schedule, subject to the following modifications:—

(1) the following paragraph shall be substituted for paragraph 4:—

"The Authority shall also appoint a Hospital Management Committee to be known as the Shaftesbury Square Hospital Management Committee and the said Hospital Management Committee shall, on and after the 1st January, 1965, manage and control the Belfast Ophthalmic Hospital which, on and after that date, shall be known as the Shaftesbury Square Hospital.";

(2) in paragraph 5 after "known as" there shall be inserted "The Belfast Ophthalmic and Benn Hospital Management Committee"; and for the words "1st January, 1965" there shall be substituted "on the expiry of the 31st December, 1964".

3.—(1) All property whether real or personal (including choses-in-action) which immediately before the 1st January, 1965, is vested in or belongs to or is held in trust for or by the Belfast Ophthalmic and Benn Hospital Management Committee, the Tyrone and Fermanagh Hospital Management Committee or the West Tyrone Hospital Management Committee (each of which is hereinafter referred to as "a dissolved Committee") and all rights, powers and privileges relating to or connected with such property shall on that date and without any conveyance or assignment but subject where necessary to transfer in the books of any bank, corporation or company, become and be vested in or the property of or held in trust for or by (as the case may require) as follows:—

(*a*) in the case of property (other than endowments) of the dissolved Belfast Ophthalmic and Benn Hospital Management Committee so far as relates to the Belfast Ophthalmic Hospital, the new Shaftesbury Square Hospital Management Committee;

(*b*) in the case of property of the dissolved Belfast Ophthalmic and Benn Hospital Management Committee so far as relates to the Benn Ulster Eye, Ear and Throat Hospital, and the endowments of the said Belfast Ophthalmic Hospital, the Belfast Hospital Management Committee;

(*c*) in the case of property of the dissolved Tyrone and Fermanagh Hospital Management Committee and the property (other than so far as relates to the Strabane Hospital) of the dissolved West Tyrone Hospital Management Committee, the new Western Hospital Management Committee; and

(*d*) in the case of the property of the dissolved West Tyrone Hospital Management Committee so far as relates to the Strabane Hospital, the Londonderry Hospital Management Committee;

for all the estate, term or interest for which the same immediately before that date was vested in or belonged to or was held in trust for or by the respective dissolved Committee but subject to all trusts and equities affecting the same and then subsisting and capable of being performed.

(2) All property transferred by this article which, immediately before the 1st day of January, 1965, is standing in the books of any bank or is registered in the books of any bank, corporation or company in the name of a dissolved

committee shall upon the request of the respective Management Committee to which the property and functions are transferred made on or at any time after the 1st day of January, 1965, be transferred in said books by such bank, corporation or company into the name of that Management Committee.

(3) On and after the 1st day of January, 1965, every chose-in-action transferred by this article may be sued upon, recovered or enforced by the Management Committee to whom it was transferred in its own name and it shall not be necessary for that Management Committee to give notice to the person bound by such chose-in-action of the transfer effected by this article.

4. Every debt or other liability (including mortgage debts and also including unliquidated liabilities arising from torts or breaches of contract) which immediately before the 1st day of January, 1965, is owing and unpaid or has been incurred and is undischarged by a dissolved committee shall, on that date, become and be the debt or liability of the particular Management Committee to which the property and/or functions of that dissolved committee have been transferred and shall be paid or discharged by and may be recovered from or enforced against the Management Committee into whose name it has been transferred.

5. Every bond, guarantee or other security of a continuing character made or given by a dissolved committee to another person or by any person to such committee and in force immediately before the 1st day of January, 1965, and every contract or agreement in writing made between such committee and another person and not fully executed and completed before that date shall, notwithstanding the dissolution of that particular committee, continue in force on and after the 1st day of January, 1965, but shall be construed and have effect as if the name of the Management Committee to which the property and/or functions of that dissolved committee have been transferred were substituted therein for the name of that dissolved committee and such security, contract or agreement shall be enforceable by or against the Management Committee into whose name it has been transferred.

6.—(1) The accounts of all receipts and expenditure of a dissolved committee and of the officers of the Authority responsible to that Committee up to the 1st day of January, 1965, shall, as soon as conveniently may be after that day, be audited.

(2) Every officer of the Authority whose duty it is to make up any accounts of or to account for any portion of the receipts or expenditure of a dissolved committee and also every member thereof shall, until the audit of such receipts and expenditure up to the 1st day of January, 1965, is completed, be deemed for the purposes of such audit to continue in office and be bound to perform the same duties and render the same accounts and be subject to the same liabilities as if this Order had not been made.

7. Each officer of the Authority who, up to the 1st day of January, 1965, is responsible to a dissolved committee for the discharge of his duties shall, if he remains in the service of the Authority after that date, be responsible to the Management Committee to which the functions of that dissolved committee have been transferred for the discharge of said duties on terms and conditions not less advantageous than were applicable to him up to the 1st day of January, 1965.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 30th day of December, nineteen hundred and sixty-four.

(L.S.)

N. Dugdale,
Senior Assistant Secretary.

SCHEDULE

NEW GENERAL SCHEME

made under the Provisions of the Health Services Acts (Northern Ireland) 1948-1963

WHEREAS the Northern Ireland Hospitals Authority (hereinafter called "the Authority") in exercise of the powers conferred on them by Section 28 of the Health Services Act (Northern Ireland) 1948 (hereinafter called "the Act") did on the 13th May, 1948, adopt a General Scheme (hereinafter called "The General Scheme"):

AND WHEREAS the General Scheme was approved by the Ministry of Health and Local Government (hereinafter called "the Ministry") by Order made on the 31st May, 1948:

AND WHEREAS the General Scheme has from time to time been modified as provided for in the Act:

AND WHEREAS the Authority after consultation with the Ministry have decided to adopt the new General Scheme hereinafter set forth:

NOW THEREFORE the Authority in exercise of the powers conferred on them by Section 28 of the Act and all other powers them thereunto enabling do hereby adopt the following new General Scheme providing for the modification of the General Scheme, that is to say:

1. The Authority shall appoint a Hospital Management Committee to be known as the Western Hospital Management Committee and the said Hospital Management Committee shall, on and after 1st January, 1965, manage and control the hospitals set out hereunder:—

   Derg Valley Hospital, Castlederg, County Tyrone.
   Omagh General Hospital, Omagh, County Tyrone.
   Tyrone and Fermanagh Hospital, Omagh, County Tyrone.
   Tyrone County Hospital, Omagh, County Tyrone.

2. The Londonderry Hospital Management Committee in addition to having the powers and duties already assigned to it, shall on and after 1st January, 1965, manage and control the Strabane Hospital, Strabane, County Tyrone.

3. The Belfast Hospital Management Committee in addition to having the powers and duties already assigned to it, shall on and after the 1st January, 1965, manage and control the premises at Clifton Street, Belfast, at present occupied by the Benn Ulster Eye, Ear and Throat Hospital.

4. The existing Belfast Ophthalmic and Benn Hospital Management Committee shall on 1st January, 1965, be renamed the Shaftesbury Square Hospital Management Committee and shall continue to manage and control the Belfast Ophthalmic Hospital which on and after the said 1st January, 1965, shall be known as the Shaftesbury Square Hospital.

5. The existing Hospital Management Committees known as the Tyrone and Fermanagh Hospital Management Committee and the West Tyrone Hospital Management Committee and so designated in the General Scheme shall be dissolved on 1st January, 1965.

6. The General Scheme shall be read and shall operate as modified by this New General Scheme.

Sealed with the Common Seal of the Northern Ireland Hospitals Authority this fifteenth day of December, One thousand nine hundred and sixty-four.

(Signed) W. McKinney; Marcia H. Mackie
Members of the Authority.

(Signed) W. J. Gillingham
Secretary of the Authority.

1964. No. 215 **[C]**

BUSINESS TENANCIES

Notices

REGULATIONS, DATED 30TH DECEMBER, 1964, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 51 OF THE BUSINESS TENANCIES ACT (NORTHERN IRELAND) 1964.

The Ministry of Home Affairs, in exercise of the powers conferred upon it by Section 51 of the Business Tenancies Act (Northern Ireland) 1964(a), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Business Tenancies (Notices) Regulations (Northern Ireland) 1964 and shall come into force on the 1st day of January, 1965.

Interpretation

2. In these regulations—

"the Act" means the Business Tenancies Act (Northern Ireland) 1964;

a form referred to by number means the form so numbered in the Schedule.

Forms to be used

3. The forms in the Schedule shall be used for the following purposes:—

(*a*) a notice served under Section 3(2)(*a*) of the Act by the landlord, being a notice terminating a tenancy which has been continued under Section 3(1) of the Act and subsequently has ceased to be a tenancy to which Part I of the Act applies, shall be in Form 1.

(a) 1964. c. 36 (N.I.).