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

1. This Order may be cited as the Health Services (Approval of Hospital Management Schemes) Order (Northern Ireland), 1959.

2. The Ministry hereby approves of the management scheme dated the 28th day of April, 1959, relating to the Newtownabbey Hospital Management Committee and directs that a copy of the scheme shall be available for inspection by members of the public at all reasonable times at each of the hospitals controlled by the Newtownabbey Hospital Management Committee, namely:—

Crawfordsburn Hospital
Greenisland Hospital
Whiteabbey Hospital
Whiteabbey Chest Clinic
Central Chest Clinic, Durham Street, Belfast.

Sealed with the Official Seal of the Ministry of Health and Local Government this eighteenth day of December, nineteen hundred and fifty-nine, in the presence of

(L.S.)

J. L. O. Andrews,
Minister of Health and Local Government.

1959. No. 191 [NC]

HEALTH SERVICES

General Scheme: Modification

ORDER, DATED 18TH DECEMBER, 1959, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION TWENTY-EIGHT OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

Whereas sub-section (4) of section twenty-eight 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,

(a) 1948. c. 3. (b) S.R. & O. (N.I.) 1948, No. 143.

1948(a), 30th September, 1949(b), 1st January, 1950(c), 11th April, 1951(d), 31st October, 1956(e), 18th September, 1957(f), 21st August, 1958(g), and 26th March, 1959(h):

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 twenty-eight of the Health Services Act (Northern Ireland), 1948, and of all other powers so enabling, hereby orders as follows:—

1. This Order may be cited as the Health Services (General Scheme Modification) Order (Northern Ireland), 1959.

2. The Ministry hereby approves the new general scheme dated the 24th day of November, 1959, set out in the Schedule hereto, subject to the following amendments:—

(1) In sub-paragraph (1) of paragraph 1 there shall be added the name of the following hospital:—

Downpatrick Chest Clinic.

(2) The following sub-paragraph shall be substituted for sub-paragraph (2) of paragraph 1:—

"The existing Hospital Management Committees known as Downpatrick Hospital Management Committee and Downshire Hospital Management Committee and so designated in the General Scheme shall be dissolved on the first day of January one thousand nine hundred and sixty and on and after that date the new Downpatrick Hospital Management Committee shall perform all the functions which up to that date may be exercised by the existing Downpatrick Hospital Management Committee and the said Downshire Hospital Management Committee."

(3) In sub-paragraph (1) of paragraph 2 for the words "The new hospital provided by the Authority at Altnagelvin in the County of Londonderry" there shall be substituted the name of the hospital as follows—"Altnagelvin Hospital, Londonderry".

(4) In sub-paragraph (2) of paragraph 2, for the words "thirty-first day of December, one thousand nine hundred and fifty-nine", there shall be substituted the words "first day of January, one thousand nine hundred and sixty, and on".

3.—(1) All property, whether real or personal (including choses-in-action) which immediately before the 1st day of January, 1960, is vested in or belongs to or is held in trust for the Downpatrick Hospital Management Committee, the Downshire Hospital Management Committee or the Northern Special Care 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 (as the case may require) as follows—

(a) S.R. & O. (N.I.) 1948, No. 332.
(b) S.R. & O. (N.I.) 1949, No. 176.
(c) S.R. & O. (N.I.) 1950, No. 2.
(d) S.R. & O. (N.I.) 1951, No. 49.
(e) S.R. & O. (N.I.) 1956, No. 169.
(f) S.R. & O. (N.I.) 1957, No. 196.
(g) S.R. & O. (N.I.) 1958, No. 140.
(h) S.R. & O. (N.I.) 1959, No. 55.

(*a*) in the case of property of the dissolved Downpatrick Hospital Management Committee and the dissolved Downshire Hospital Management Committee, the new Downpatrick Hospital Management Committee; and

(*b*) in the case of property of the dissolved Northern Special Care Management Committee, the North West 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 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, 1960, 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, 1960, 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, 1960, 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, 1960, 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 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, 1960, 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, 1960, but shall be construed and have effect as if the name of the Management Committee to which the property and 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, 1960, 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, 1960, 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, 1960, 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, 1960.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this eighteenth day of December, nineteen hundrd and fifty-nine.

(L.S.)

J. L. O. Andrews,
Minister of Health and Local Government.

SCHEDULE

New General Scheme made under the Provisions of the Health Services Acts (Northern Ireland), 1948-1958

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 thirteenth day of May one thousand nine hundred and forty-eight adopt a General Scheme (hereinafter called "the General Scheme"):

And whereas the said General Scheme was approved by the Ministry of Health and Local Government (hereinafter called "the Ministry") by Order made on the thirty-first day of May one thousand nine hundred and forty-eight.

And whereas the said 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 of all other powers them thereunto enabling do hereby adopt the following new General Scheme providing for the modification of the said General Scheme, that is to say:

1.—(1) The Authority shall appoint as from the first day of January, one thousand nine hundred and sixty a new Hospital Management Committee to be known from that date as Downpatrick Hospital Management Committee and the said Hospital Management Committee shall as from that date manage and control the hospitals set out hereunder:

Downe Hospital, Downpatrick, County Down.
Downshire Hospital, Downpatrick, County Down.
Quoile Hospital, Downpatrick, County Down
(formerly known as Downpatrick General Hospital).

(2) The existing Hospital Management Committees known as Downpatrick Hospital Management Committee and Downshire Hospital Management Committee and so designated in the General Scheme shall be dissolved on the thirty-first day of December, one thousand nine hundred and fifty-nine and shall not exercise any functions after that date.

2.—(1) The North West Hospital Management Committee, being the Management Committee so designated in the General Scheme, in addition to having the powers and duties already assigned to it, shall as from the first day of January, one thousand nine hundred and sixty manage and control the following hospitals, that is to say:—

The new hospital provided by the Authority at Altnagelvin in the County of Londonderry.
Templemore Special Care Centre, Londonderry.

(2) The Northern Special Care Management Committee being the Committee so designated in the New General Scheme made by the Authority on the tenth day of July, one thousand nine hundred and fifty-eight, shall be dissolved on the thirty-first day of December, one thousand nine hundred and fifty-nine, and after that date the North West Hospital Management Committee shall perform all the functions which up to that date may be exercised by the said Northern Special Care Management Committee.

3. 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 twenty-fourth day of November, One thousand nine hundred and fifty-nine.

(L.S.)

W. McKinney
Marcia H. Mackie
Members of the Authority.

E. H. Jones
Secretary of the Authority.

1959. No. 192

As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules of a Local Character under the heading BIRTHS, DEATHS AND MARRIAGES.