STATUTORY INSTRUMENTS

1971 No. 152

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

HOSPITAL AND SPECIALIST SERVICES

The National Health Service (Designation of Teaching Hospitals) Amendment (No. 1) Order 1971

Made - - - 28*th January* 1971

Coming into Operation 1*st October* 1971

The Secretary of State for Social Services, in exercise of his powers under 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 Newcastle upon Tyne, for which University it appears to him that facilities for undergraduate or post-graduate clinical teaching are provided by the United Newcastle upon Tyne Hospitals, hereby orders as follows:—

1. This order may be cited as the National Health Service (Designation of Teaching Hospitals) Amendment (No. 1) Order 1971, and shall come into operation on 1st October 1971.

2.—(1) In this order—

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

"the appointed day" means 1st October 1971;

"the Board of Governors" means the Board of Governors of the United Newcastle upon Tyne Hospitals;

"the Hospital Board" means the Newcastle Regional Hospital Board;

"the Management Committee" means the Newcastle University Hospital Management Committee.

(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. The National Health Service (Designation of Teaching Hospitals) Order 1959(c) as amended (d) shall be further amended by the deletion from Schedule 1 (list of teaching hospitals) of the words "The United Newcastle upon Tyne Hospitals" in column (1) and the words relating thereto in columns (2) and (3).

(a) 1946 c. 81. (b) 1889 c. 63. (c) S.I. 1959/748 (1951 I, p. 1813).

(d) There is no amendment which relates expressly to the subject matter of this Order.

4.—(1) The Board of Governors is hereby dissolved.

(2) In paragraph 6 of the National Health Service (Constitution of Boards of Governors of Teaching Hospitals) (No. 1) Order 1948 the words "The United Newcastle upon Tyne Hospitals" and the list of members with particulars of their appointment set out thereunder shall be deleted.

(3) In the Schedule to the said order the words "The United Newcastle upon Tyne Hospitals" in column 1 and the figures relating thereto in column 2 shall be deleted.

5.—(1) Any property held immediately before the appointed day under section 7 or under section 59 of the Act by the Board of Governors for purposes relating to hospital services or to the functions of the Board of Governors with respect to research shall on that day be transferred to and vest without further conveyance in the Management Committee.

(2) Any property held immediately before the appointed day under section 60 of the Act by the Board of Governors shall on that day be transferred to and vest without further conveyance in the Management Committee.

6. Any other property held immediately before the appointed day by the Board of Governors and all rights and liabilities to which the Board of Governors were entitled or subject immediately before the appointed day, other than rights and liabilities arising from any building or civil engineering works the estimated total cost of which exceeds £120,000, shall on that day be transferred to and vest in the Management Committee.

7. All rights and liabilities to which the Board of Governors were entitled or subject immediately before the appointed day arising from any building or civil engineering works the estimated cost of which exceeds £120,000, shall on that day be transferred to and vest in the Hospital Board.

8. All officers employed by the Board of Governors immediately before the appointed day shall on that day be transferred to and become officers of the Hospital Board.

9. The Management Committee shall be responsible for closing the accounts of the Board of Governors and with respect to these accounts references in regulation 13 of the National Health Service (Hospital Accounts and Financial Provisions) Regulations 1969(**a**) to "the chief financial officer" and "the hospital authority" shall be deemed respectively to be references to the chief financial officer of the Management Committee and to the Management Committee.

10. Any pending proceedings to which the Board of Governors are a party relating to any property, rights or liabilities transferred under the aforesaid provisions of this order and pending at the appointed day shall not be prejudicially affected by reason of such transfer, but any such proceedings shall be amended in such manner as may appear necessary or proper for enabling them

(**a**) S.I. 1969/1582 (1969 III, p. 5051).

to be prosecuted and enforced by or against the Hospital Board or the Management Committee to which the property, rights or liabilities were transferred.

Signed by authority of the Secretary of State for Social Services.

J. S. Orme,
Under Secretary,
Department of Health and Social Security.

28th January 1971.

EXPLANATORY NOTE

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

This Order revokes the designation of the group of hospitals known as the United Newcastle upon Tyne Hospitals as a teaching hospital by amending the National Health Service (Designation of Teaching Hospitals) Order 1959. The order dissolves the Board of Governors of the United Newcastle upon Tyne Hospitals and amends consequently the National Health Service (Constitution of Board of Governors of Teaching Hospitals (No. 1)) Order 1948. The order also provides for consequential matters relating to officers and property connected with the aforementioned group of hospitals.