STATUTORY INSTRUMENTS

1974 No. 188 (C.4)

NATIONAL HEALTH SERVICE, ENGLAND AND WALES
NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service Reorganisation Act 1973 (Commencement No. 3) Order 1974

Made - - - -	8*th February* 1974
Laid before Parliament	8*th February* 1974
Coming into Operation	1*st March* 1974

In exercise of the powers conferred upon me by sections 57(3), (4) and 58(3) of the National Health Service Reorganisation Act 1973**(a)** and of all other powers enabling me in that behalf, I hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the National Health Service Reorganisation Act 1973 (Commencement No. 3) Order 1974 and shall come into operation on the 1st March 1974.

Interpretation

2.—(1) In this Order, unless the context otherwise requires:—

"the Act of 1946" means the National Health Service Act 1946**(b)**;

"the Act of 1947" means the National Health Service (Scotland) Act 1947**(c)**;

"the Act of 1973" means the National Health Service Reorganisation Act 1973;

and any other expression to which a meaning is assigned by the Act of 1946 or the Act of 1947 shall have that meaning in this Order.

(2) The rules for the construction of an Act of Parliament contained in the Interpretation Act 1889**(d)** shall apply for the purposes of the interpretation of this Order as they apply for the purposes of the interpretation of an Act of Parliament.

Appointed Days

3.—(1) Subject to the following provisions of this Order, the day appointed for the coming into operation of any provision of the Act of 1973 specified in the first column of Schedule 1 to this Order shall be 1st April 1974.

(2) The day appointed for the coming into operation of paragraph 130 of Schedule 4 to the Act of 1973, so far as it relates to paragraph (*c*) of the definition of "national health service authority" in section 86(1) of the Post Office Act 1969**(e)** shall be 1st March 1974.

(a) 1973 c. 32. **(b)** 1946 c. 81. **(c)** 1947 c. 27.
(d) 1889 c. 63. **(e)** 1969 c. 48.

(3) The day appointed for the coming into operation of the entries in Schedule 5 to the Act of 1973 relating to sections 7(5)(*a*), 7(5)(*b*), 7(7) and 52(2) of the Act of 1946 shall be 1st April 1975.

(4) The day appointed for the coming into operation of the entry in Schedule 5 to the Act of 1973 relating to section 56 of the Act of 1946 shall be 1st April 1976.

Transfers to or from Hospital Endowments Fund

4. Section 11(9) of the Act of 1946 shall continue to have effect until 31st March 1975 so far as is necessary to enable orders to be made making provision specified in section 11(9)(iii), in a case to which section 11(9)(*c*) applies, as if the entry in Schedule 5 to the Act of 1973 relating to the said section 11(9) was not in force.

Accounts of certain health authorities

5. Section 55(4) of the Act of 1946 shall continue to have effect in its application to the accounts, in respect of the financial year ending on 31st March 1974, of every Regional Hospital Board, Board of Governors of a teaching hospital, Hospital Management Committee and Executive Council as if the provisions of paragraph 31(3) of Schedule 4 to the Act of 1973 amending the said section 55(4) were not in force.

Saving of regulations and orders

6. Notwithstanding the coming into force of the entries in Schedule 5 to the Act of 1973 relating to sections 6(5), 7(9), 9(8), 11(9) and 68 of the Act of 1946, the regulations and orders specified in Schedule 2 to this Order shall continue to have effect for the purposes of the apportionment and transfer of property and the transfer and compensation of officers.

Keith Joseph,
One of Her Majesty's Principal
Secretaries of State.

8th February 1974.

SCHEDULE 1

Article 3(1)

Provisions of the Act of 1973	Subject Matter
Section 2	General powers and duties of Secretary of State to provide services
Section 3	Medical and dental service for pupils
Section 4	Family planning service
Section 11	Supply of goods and services by Secretary of State
Section 12	Supply of goods and services by local authorities
Section 13	Voluntary organisations and other bodies
Section 22	Private trusts for hospitals: payments to Health Authorities
Section 27	Application of trust property previously held for general hospital purposes
Section 28	Application of trust property: further provisions
Section 40	Special hospitals
Section 41 (so far as not already in force)	Nursing homes and mental nursing homes
Section 42	Pharmaceutical services
Section 43	Miscellaneous functions of Secretary of State
Section 45	Overseas aid
Section 46	Notices of births and deaths
Schedule 4, paragraphs 1 to 21, 23 to 40, 42 to 58, 59(2) to 78, 80 to 129, 130, in so far as it relates to paragraph (*a*) of the definition of "national health service authority" in section 86(1) of the Post Office Act 1969, 132 and 134 to 137	Minor and consequential amendments
Schedule 5 (except entries already in force and the entries relating to the Ministry of Social Security Act 1966 or for which provision is otherwise made by this Order)	Repeals

SCHEDULE 2

Article 6

Regulations and Orders saved for certain purposes

The National Health Service (Apportionment and Transfer) Regulations 1948 (S.I. 1948/888)**(a)**

The National Health Service (Transfer of Officers and Compensation) Regulations 1948 (S.I. 1948/1475)**(b)**

The National Health Service (Oxford Area Hospitals) Order 1956)**(c)**

The National Health Service (Ventnor Hospital Management Committee) Order 1958**(c)**

The National Health Service (Southern Hospital) Order 1959 (S.I. 1959/1342)*

The National Health Service (Transfer of Officers and Compensation) (Amendment) Regulations 1960 (S.I. 1960/772)**(d)**

The National Health Service (West Cheshire Hospitals) Order 1965 (S.I. 1965/582)*

The National Health Service (South East Wales Hospitals) Order 1965 (S.I. 1965/637)*

The National Health Service (Highlands General Hospital) Order 1965 (S.I. 1965/661)*

The National Health Service (North Gloucestershire Hospitals) Order 1965 (S.I. 1965/1723)*

The National Health Service (Exeter and mid-Devon Hospitals) Order 1965 (S.I. 1965/1724)*

The National Health Service (East London Hospitals) Order 1966 (S.I. 1966/213)*

The National Health Service (Enfield Hospitals) Order 1966 (S.I. 1966/230)*

The National Health Service (Herbert Hospital) Order 1966 (S.I. 1966/278)*

The National Health Service (Lincoln Hospitals) Order 1966 (S.I. 1966/294)*

The National Health Service (Nottingham and Mansfield Hospitals) Order 1966 (S.I. 1966/300)*

The National Health Service (Derby Hospitals) Order 1966 (S.I. 1966/301)*

The National Health Service (Goole, Howden and Selby Hospitals) Order 1966 (S.I. 1966/333)*

The National Health Service (Mitcheldean Hospital) Order 1966 (S.I. 1966/365)*

The National Health Service (Jarrow Chest Clinic) Order 1966 (S.I. 1966/1052)*

The National Health Service (Pontllanfraith Chest Clinic) Order 1966 (S.I. 1966/1239)*

The National Health Service (Capel Hospital) Order 1966 (S.I. 1966/1554)*

The National Health Service (Ashington Chest Clinic) Order 1967 (S.I. 1967/85)*

The National Health Service (North Wales Hospitals) Order 1967 (S.I. 1967/348)*

The National Health Service (Mid-Somerset Hospitals) Order 1967 (S.I. 1967/401)*

The National Health Service (South West General Hospitals) Order 1967 (S.I. 1967/402)*

The National Health Service (Dutton Hospital) Order 1967 (S.I. 1967/425)*

The National Health Service (Marie Curie Hospital) Order 1967 (S.I. 1967/426)*

The National Health Service (Ancoats Convalescent Home) Order 1967 (S.I. 1967/436)*

The National Health Service (Earls House Hospital) Order 1967 (S.I. 1967/437)*

The National Health Service (Kingston and Long Grove Hospitals) Order 1967 (S.I. 1967/452)*

The National Health Service (Finchley Chest Clinic) Order 1967 (S.I. 1967/1006)*

The National Health Service (Finsbury Chest Clinic) Order 1967 (S.I. 1967/1048)*

(a) Rev. XV, p. 723; 1948 I, p. 2039. **(b)** Rev. XV, p. 779; 1948 I, p. 2283.
(c) These Orders were not Statutory Instruments.
(d) 1960 II, p. 2109.
*These Orders were classified as Local Statutory Instruments.

The National Health Service (Devonshire Royal Hospital Annexe) Order 1967 (S.I. 1967/1732)*

The National Health Service (Brandon Hospital) Order 1967 (S.I. 1967/1733)*

The National Health Service (Orpington and Sevenoaks and Sidcup Hospitals) Order 1967 (S.I. 1967/1833)*

The National Health Service (Yeovil Maternity Hospitals) Order 1967 (S.I. 1967/1852)*

The National Health Service (Betley Court Rehabilitation Centre) Order 1968 (S.I. 1968/73)*

The National Health Service (Heath Lane Hospital) Order 1968 (S.I. 1968/191)*

The National Health Service (Littlemore and Warneford and Park Hospitals) Order 1968 (S.I. 1968/489)*

The National Health Service (North Tees-side Maternity Hospitals) Order 1968 (S.I. 1968/546)*

The National Health Service (Colinswood Maternity Home) Order 1968 (S.I. 1968/673)*

The National Health Service (Heathfield Road Maternity Hospital) Order 1968 (S.I. 1968/712)*

The National Health Service (Deanhouse Hospital) Order 1968 (S.I. 1968/791)*

The National Health Service (Freeland Hospital) Order 1968 (S.I. 1968/972)*

The National Health Service (Homewood Convalescent Home) Order 1968 (S.I. 1968/973)*

The National Health Service (Spittlesea Isolation Hospital) Order 1968 (S.I. 1968/1027)*

The National Health Service (Taunton Maternity Home) Order 1968 (S.I. 1968/1325)*

The National Health Service (North Devon Hospitals) Order 1968 (S.I. 1968/1331)*

The National Health Service (Designation of London Teaching Hospitals) Order 1974 (S.I. 1974/32)

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force provisions of the National Health Service Reorganisation Act 1973. With a small number of exceptions 1st April 1974 is the date appointed for the coming into operation of all the provisions of the Act which are brought into force by this Order. The Order also provides for certain provisions amended or repealed by that Act, and specified Regulations and Orders made by virtue of provisions so repealed, to continue to have effect for certain purposes.

*These Orders were classified as Local Statutory Instruments.

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