
STATUTORY INSTRUMENTS

1996 No. 1636 (N.I. 13)

NORTHERN IRELAND

**The Health and Personal Social Services (Residual
Liabilities) (Northern Ireland) Order 1996**

<i>Made</i>	- - - -	<i>26th June 1996</i>
<i>Laid before Parliament</i>		<i>8th July 1996</i>
<i>Coming into operation</i>		<i>27th August 1996</i>

At the Court at Buckingham Palace, the 26th day of June 1996

Present,

The Queen's Most Excellent Majesty in Council

Whereas this Order is made only for purposes corresponding to those of section 1 of the National Health Service (Residual Liabilities) Act 1996:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 (as modified by section 3 of the said Act of 1996) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1.—(1) This Order may be cited as the Health and Personal Social Services (Residual Liabilities) (Northern Ireland) Order 1996.

(2) This Order shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order “the Department” means the Department of Health and Social Services.

Transfer of residual liabilities

3.—(1) If a Health and Social Services trust, a Health and Social Services Board or a special health and social services agency ceases to exist, the Department must exercise its statutory powers to transfer property, rights and liabilities of the body so as to secure that all of the liabilities of the body are dealt with.

(2) For the purposes of paragraph (1), a liability is dealt with by being transferred to—

- (a) the Department;
- (b) a Health and Social Services trust;
- (c) a Health and Social Services Board;
- (d) a special health and social services agency; or
- (e) the Northern Ireland Central Services Agency for the Health and Social Services

N. H. Nicholls
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

The Order imposes a duty on the Department of Health and Social Services, when certain Health and Social Services bodies cease to exist, to exercise its statutory powers as respects the transfer of property, rights and liabilities of the defunct bodies so as to secure that all of their liabilities are transferred to other Health and Social Services bodies or the Department.