

SCHEDULES

SCHEDULE 12

Article 66.

FORMER DISPENSARY PROPERTY, ETC.

1. Where a medical practitioner was in occupation of any dispensary residence immediately before the 5th July 1948 and exercised his entitlement under the proviso to section 19(1)(a) of the Health Services Act (Northern Ireland) 1948 to continue to occupy such residence subject to such conditions as were determined pursuant to that proviso, and was, by virtue of that entitlement, in occupation of such residence immediately before the [^{F1} 1st October 1973], he shall be entitled to continue in occupation of such residence so long as he continues to comply with those conditions.

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2. Notwithstanding anything in any transferred provision, or in any conveyance, trust deed or other instrument relating to that property, the Ministry may, subject to such conditions as it may determine, make available any property to which this Schedule applies (other than property which any person is entitled, pursuant to paragraph 1, to occupy) to any of the following persons—

- (a) medical practitioners, dental practitioners or pharmacists providing services under Part VI;
- (b) the Health and Social Services Boards for the purposes of any of their functions;
- (c) voluntary organisations providing services similar or related to those provided by the Ministry under this Order.

3. Where the Ministry is satisfied that any property to which this Schedule applies (other than property which any person is entitled, pursuant to paragraph 1, to occupy) is no longer required to be made available to the persons mentioned in paragraph 2, the Ministry may, notwithstanding anything in any transferred provision, or in any conveyance, trust deed or other instrument relating to that property, but subject to paragraphs 4 and 5 and to such conditions as it may determine, dispose of that property.

4. The Ministry shall, before disposing of any such property, notify the district council for the district within which the property is situated of its intention to do so.

5. If the district council which has been notified pursuant to paragraph 4, by resolution duly passed and communicated to the Ministry within three months of the council being so notified, requires the Ministry to do so, the Ministry shall by order transfer to that council all interests, rights or liabilities in, or relating to, that property to which the Ministry is entitled or subject immediately before the making of the order.

6. A district council to which the interests, rights or liabilities in any property are transferred under paragraph 5 may thereafter use that property for any of its functions or may dispose of that property.

7. Where, under paragraph 3 or 6, any property is disposed of by the Ministry or a district council, any proceeds of such disposal shall be paid to or, as the case may be, retained by the district council in whose district the property is situated.

8. Any district council by which any money is received under paragraph 7 in pursuance of a disposal shall apply that money towards the relief of rates.

Status:

Point in time view as at 01/01/2006.

Changes to legislation:

Health and Personal Social Services (Northern Ireland) Order 1972, SCHEDULE 12 is up to date with all changes known to be in force on or before 10 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.