

## 1973 No. 515

**NATIONAL HEALTH SERVICE, ENGLAND AND WALES  
HOSPITAL AND SPECIALIST SERVICES****The National Health Service (Designation of London Teaching  
Hospitals) Amendment (No. 2) Order 1973**

*Made* - - - 22nd March 1973

*Coming into Operation* 1st April 1973

The Secretary of State for Social Services, in exercise of his powers under section 11 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 London, hereby orders as follows:—

1. This order may be cited as the National Health Service (Designation of London Teaching Hospitals) Amendment (No. 2) Order 1973 and shall come into operation on 1st April 1973.

2.—(1) In this order:—

“the Act” means the National Health Service Act 1946;

“the appointed day” means 1st April 1973;

“the First Board” means the Board of Governors of The Hammersmith and St. Mark’s Hospitals for the purpose of references to the First Board before the appointed day and means the Board of Governors of The Hammersmith Hospital for the purpose of references to the First Board on the appointed day;

“the Second Board” means the Board of Governors of the Royal Hospital of St. Bartholomew;

“the transferred hospital” means the hospital named in Article 3 hereof.

(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 London Teaching Hospitals) Order 1957(c) as amended(d) shall be further amended as follows:—

(1) In column (1) of the First Schedule (which Schedule prescribes the designated London teaching hospitals) for the words “The Hammersmith and St. Mark’s Hospitals” there shall be substituted the words “The Hammersmith Hospital”.

(a) 1946 c. 81.

(b) 1889 c. 63.

(c) S.I. 1957/488 (1957 I, p. 1452).

(d) The relevant amending instruments are S.I. 1958/505, 1959/518 (1958 II, p. 1543; 1959 I, p. 1817).

- (2) In column (2) of the First Schedule opposite the name "The Hammersmith Hospital" in column (1) the words "St. Mark's Hospital for Diseases of the Rectum and Colon, EC1" shall be deleted.
- (3) In the said column (2) after the names of the hospitals listed against the name "The Royal Hospital of St. Bartholomew" in column (1) there shall be added the words "St. Mark's Hospital for Diseases of the Rectum and Colon, EC1".

4. In the list of hospitals set out in the National Health Service (Constitution of Boards of Governors of Teaching Hospitals (No. 2)) Order 1948(a) and in the Schedule to that order for the words "The Hammersmith, and St. Mark's Hospitals" there shall be substituted the words "The Hammersmith Hospital".

5.—(1) All officers of the First Board employed immediately before the appointed day solely at or for the purposes of the transferred hospital shall on that day be transferred to and become officers of the Second Board.

(2) All medical and dental officers of the First Board employed immediately before the appointed day, partly at or for the purposes of the transferred hospital and partly at and for the purposes of any other hospital shall on that day become officers of the Second Board in relation to their work at the transferred hospital and all rights and liabilities under their contract in relation thereto with the First Board shall be transferred to the Second Board.

(3) Any other officer of the First Board who is employed immediately before the appointed day partly at or for the purposes of the transferred hospital and who does not receive before that day notice in writing from the First Board that he is not to be transferred to the Second Board shall on that day be transferred to and become an officer of the Second Board.

(4) Any officer who is transferred to the Second Board under this article and whose employment was whole-time shall continue to be subject to the remuneration and other conditions of service applicable to a whole-time officer so long as his employment for both the First Board and the Second Board amounts in the aggregate to whole-time employment.

6. On the appointed day there shall be transferred to and vest without further conveyance in the Second Board:—

- (a) any property held immediately before the appointed day by the First Board—
  - (i) under section 59 of the Act solely for the purpose of the transferred hospital, and
  - (ii) under section 60 of the Act, so far as practicable, for the purposes of the transferred hospital; and
- (b) any other property held by the First Board so far as it relates solely to the transferred hospital and any rights and liabilities to which the First Board was entitled or subject immediately before the appointed day so far as these relate solely to the transferred hospital.

7. Any action or proceeding or any course of action or proceeding, pending or existing at the appointed day, by, or against, the First Board Committee solely in respect of any property, right or liability transferred by this order

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(a) This order was not published in the S.I. Series.

shall not be prejudicially affected by reason of this order, and may be continued, prosecuted and enforced by, or against, the Second Board.

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

*G. G. Beltram,*  
Under Secretary,  
Department of Health and Social Security.

22nd March 1973.

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#### EXPLANATORY NOTE

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

This Order amends the National Health Service (Designation of London Teaching Hospitals) Order 1957—

- (a) by changing the name of the group of hospitals designated as The Hammersmith and St. Mark's Hospitals to The Hammersmith Hospital;
- (b) by removing St. Mark's Hospital from the group of hospitals designated as The Hammersmith Hospital;
- (c) by adding that hospital to the group of hospitals designated as The Royal Hospital of St. Bartholomew.

The Order provides for consequential matters relating to officers and property connected with that hospital.

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