

General Scheme: Modification

ORDER, DATED 31ST OCTOBER, 1956, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION TWENTY-EIGHT OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1956. No. 169

[NC]

WHEREAS sub-section (4) of section twenty-eight of the Health Services Act (Northern Ireland), 1948, provides that the Northern Ireland Hospitals Authority (in this Order referred to as "the Authority") may from time to time, after consultation with the Ministry of Health and Local Government for Northern Ireland (in this Order referred to as "the Ministry"), adopt a new general scheme providing for the modification of the general scheme for the time being in force:

AND WHEREAS the Authority has adopted and submitted to the Ministry a new general scheme providing for the modification of the general schemes adopted by the Authority on the 13th day of May, 1948, the 9th day of November, 1948, the 1st day of September, 1949, the 23rd day of December, 1949, and the 1st day of March, 1951, and approved (with modifications) by the Ministry by Orders dated the 31st day of May, 1948(a), the 31st day of December, 1948(b), the 30th day of September, 1949(c), the 1st day of January, 1950(d), and the 11th day of April, 1951(e):

AND WHEREAS the Ministry thinks fit to approve the new general scheme:

NOW, THEREFORE, the Ministry hereby approves the new general scheme set out in the Schedule hereto.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this thirty-first day of October, one thousand, nine hundred and fifty-six, in the presence of

Dehra Parker,
Minister of Health and
Local Government.

SCHEDULE

**NEW GENERAL SCHEME
MADE UNDER THE PROVISIONS OF THE
HEALTH SERVICES ACTS (NORTHERN IRELAND), 1948 to 1955**

In this Scheme, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say—

(a) S.R. & O. (N.I.), 1948, No. 143.
(b) S.R. & O. (N.I.), 1948, No. 332.
(c) S.R. & O. (N.I.), 1949, No. 176.

(d) S.R. & O. (N.I.), 1950, No. 2.
(e) S.R. & O. (N.I.), 1951, No. 49.

- "the Acts" means the Health Services Acts (Northern Ireland), 1948 to 1955;
- "the Mental Health Act" means the Mental Health Act (Northern Ireland), 1948, as amended;
- "the Authority" means the Northern Ireland Hospitals Authority;
- "the Ministry" means the Ministry of Health and Local Government;
- "the General Scheme" means the General Scheme under the provisions of Sub-Section (1) of Section 28 of the Health Services Act (Northern Ireland), 1948, adopted by the Authority on the thirteenth day of May, one thousand nine hundred and forty-eight, and approved by the Ministry by an Order made on the thirty-first day of May, one thousand nine hundred and forty-eight as modified subsequently by the Authority with the approval of the Ministry.

WHEREAS it is provided in the Acts that the Authority may from time to time, after consultation with the Ministry, adopt a new General Scheme providing for the modification of the General Scheme under Section 28 of the Health Services Act (Northern Ireland), 1948, for the time being in force.

AND WHEREAS the Authority, having consulted the Ministry, consider that it is proper and expedient to adopt a further new General Scheme providing for the modification of the said General Scheme.

NOW THEREFORE the Authority in exercise of the powers conferred on them by Section 28 of the Health Services Act (Northern Ireland), 1948, as amended, hereby adopt the following new General Scheme providing for the modification of the said General Scheme, that is to say:

NEW GENERAL SCHEME

1. The Special Care Service Management Committee, as established pursuant to the new General Scheme made under their common seal by the Authority on the first day of March, one thousand nine hundred and fifty one, shall as from the first day of November, one thousand nine hundred and fifty six be styled and known as the Special Care Management Committee, hereinafter referred to as the Management Committee.

2. It is hereby declared for the exclusion of doubt and without prejudice to the provisions of Section 36 of the Health Services Act (Northern Ireland), 1948, that the Authority and the Authority's Mental Health Services Committee shall, after the thirty-first day of October, one thousand nine hundred and fifty-six, be responsible as heretofore for the determination of the general policy for the development and operation of services under the Mental Health Act to such extent as the Acts permit them to determine such policy.

3. Subject to the provisions of paragraph 2 of this Scheme, the provisions of the Acts, other than the provisions of Section 28(2A) of the Health Services Act (Northern Ireland), 1948, and the provisions of the Regulations made thereunder by the Ministry, or of any Regulations or Order amending or superseding those Regulations, the Management Committee shall from the first day of November one thousand nine hundred and fifty-six, perform the following functions of the Authority, that is to say:—

(1) the performance of the duty under the provisions of paragraph (b) of Section 20 of the Mental Health Act to make or approve arrangements for the supervision of persons requiring special care: Provided that where any such supervision appears to the Management Committee to be inadequate for the special care of any such person, the Management Committee shall make arrangements for securing that he shall be placed under guardianship or admitted to and cared for in an institution, in accordance with the provisions of Part III of the Mental Health Act;

(2) the performance of the duty under the provisions of paragraph (c) of Section 20 of the Mental Health Act to make arrangements for the guardianship of any such person as aforesaid when placed under guardianship whether with his consent (or that of his parents or guardian) or pursuant to a judicial order made under Part III of the Mental Health Act;

(3) the exercising of the power under paragraph (b) of Section 21 of the Mental Health Act to provide or co-operate in the provision of suitable training or occupation in premises provided by the Authority or, if the Authority approve, elsewhere for any persons requiring special care who are under supervision or guardianship;

(4) the exercising of the power under paragraph (c) of Section 21 of the Mental Health Act, in consultation with the Ministry of Labour and National Insurance, to provide or co-operate in the provision of suitable employment for persons requiring special care.

(5) the exercising of the power under the provisions of paragraph (f) of Section 21 of the Mental Health Act to provide, if the Management Committee think fit, for the burial of the body of any person who immediately before his death was a person requiring special care and who immediately before his death was under care in or absent on licence from an institution or under guardianship, and the exercising of the power to recover as a civil debt from any person liable therefor the amount of any expenses so incurred;

(6) the performance of the duties of the Authority under paragraph (a) of Section 20 of the Mental Health Act, relating to the ascertainment of persons requiring special care, other than any duties which the Authority determine it is necessary for the Authority themselves to perform to ensure the proper performance by the Authority of their functions under any of the other provisions of the Mental Health Act.

4. Notwithstanding any of the foregoing provisions of this Scheme, a person shall not be appointed to be an officer of the Authority except as provided in Section 57 of the Health Services Act (Northern Ireland), 1948, or in paragraph (e) of Section 20 of the Mental Health Act or in a Management Scheme made under Section 29 of the Health Services Act (Northern Ireland), 1948.

5. The General Scheme shall be read and shall operate as modified by this new General Scheme.

SEALED WITH THE COMMON SEAL of the Northern Ireland Hospitals Authority this twenty-third day of October, (L.S.) one thousand nine hundred and fifty-six.

W. McKinney
Marcia H. Mackie

Members of the
Authority.

E. H. Jones

Secretary of the
Authority.

General Medical and Pharmaceutical Services

REGULATIONS, DATED 27TH SEPTEMBER, 1956, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1956. No. 150

[C]

The Ministry of Health and Local Government (in these Regulations referred to as "the Ministry"), in exercise of the powers conferred on it by Sections 5, 6, 10, 12, 13, 14, 74 and 80 of the Health Services Act (Northern Ireland), 1948, and in conjunction with the Ministry of Finance hereby makes the following Regulations:—

PART I

GENERAL

Short title and commencement

1. These Regulations may be cited as the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1956 and shall be deemed to have effect from the 1st October, 1956.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:—