

1968 No. 545

**NATIONAL HEALTH SERVICE, ENGLAND AND WALES**
**HOSPITAL AND SPECIALIST SERVICES**
**The National Health Service (Hydestile Hospital) Order 1968**

*Made* - - - 29th March 1968

*Coming into Operation* 1st April 1968

The Minister of Health, in exercise of the powers conferred on him by sections 11 and 75 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 (Hydestile Hospital) Order 1968 and shall come into operation on 1st April 1968.

2.—(1) In this order—

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

“the appointed day” means 1st April 1968;

“the Board of Governors” means the Board of Governors of St. Thomas’ Hospital;

“the Hospital Board” means the South-West Metropolitan Regional Hospital Board;

“the Management Committee” means the Guildford and Godalming Group Hospital Management Committee;

“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. Column 2 of schedule 1 to the National Health Service (Designation of London Teaching Hospitals) Order 1957(c) as amended(d) (which column prescribes hospitals or groups of hospitals designated as teaching hospitals), shall be further amended by deleting from the names of hospitals listed against the name of St. Thomas’ Hospital in column 1 the words “(including St. Thomas’ Hospital, Hydestile, Godalming, Surrey).”

4.—(1) All officers of the Board of Governors 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 Hospital Board.

(2) All medical and dental officers of the Board of Governors employed immediately before the appointed day partly at and for the purposes of the

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(a) 1946 c. 81.

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

(b) 1889 c. 63.

(d) S.I. 1964/453 (1964 I, p. 723).

transferred hospital and partly at and for the purposes of any other hospital shall on that day become officers of the Hospital Board in relation to their work at the transferred hospital and all rights and liabilities under their contract in relation thereto with the Board of Governors shall be transferred to the Hospital Board.

(3) Any other officer of the Board of Governors who is employed immediately before the appointed day partly at or for the purposes of the transferred hospital and who receives before that day notice in writing from the Board of Governors that he is to be transferred to the Hospital Board shall on that day be transferred to and become an officer of the Hospital Board.

(4) Any officer who is transferred to the Hospital 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 Board of Governors and the Hospital Board amounts in the aggregate to whole-time employment.

5. On the appointed day there shall be transferred to and vest without further conveyance in the Hospital Board or the Management Committee—

(a) any property held immediately before the appointed day by the Board of Governors—

(i) under section 59 of the Act for the purposes 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 Board of Governors and any rights and liabilities to which the Board was entitled or subject immediately before the appointed day so far as these relate to the transferred hospital.

6. On the appointed day capital assets equivalent to assets of the Hospital Endowments Fund with a market value on 5th July 1948 of such sum as may be determined by agreement between the Board of Governors and the Hospital Board (or in default of agreement such sum, if any, as may be decided by the Minister) shall be transferred from the Board of Governors to the Fund, and the respective shares of the Hospital Board and the Management Committee in the net capital sum referred to in the National Health Service (Apportionment of Hospital Endowment Fund) Regulations 1949(a) shall each be increased by one half of the assets so transferred.

7. Any officer employed immediately before the appointed day at or for the purposes of the transferred hospital who suffers loss of employment or loss or diminution of emoluments which is attributable to this order shall be entitled to have his case considered for the payment of compensation at the like rate and in the like manner and subject to the like conditions as if he had been entitled to claim compensation under the Local Government (Executive Councils) (Compensation) Regulations 1964(b) as amended(c); and those regulations (except regulations 3, 4 and 5 thereof) shall apply for this purpose as if they had been set out in this order with the modifications that—

(a) references to the “material date” shall be construed as references to the appointed day, and

(b) references to “any such provision as is mentioned in regulation 4 of these regulations” shall be construed as references to this order.

(a) S.I. 1949/482 (1949 I, p. 2595).  
(c) S.I. 1966/254 (1966 I, p. 653).

(b) S.I. 1964/1177 (1964 II, p. 2696).

8. Any action or proceeding or any cause of action or proceeding, pending or existing at the appointed day, by, or against, the Board of Governors solely in respect of any property, right or liability transferred by this order shall not be prejudicially affected by reason of this order, and may be continued, prosecuted and enforced by, or against, the Hospital Board or the Management Committee.

Given under the official seal of the Minister of Health on 29th March 1968.

(L.S.)

*J. P. Dodds,*  
Under Secretary,  
Ministry of Health.

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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 by excluding St. Thomas' Hospital, Hydestile, Godalming, Surrey, from the group of hospitals designated as St. Thomas' Hospital and provides for consequential matters relating to officers and property connected with that hospital.