

## 1974 No. 241

## NATIONAL HEALTH SERVICE, ENGLAND AND WALES

**The National Health Service Reorganisation  
(Consequential Amendments) Order 1974**

*Made* - - - 18th February 1974

*\*To be laid before Parliament*

*Coming into Operation* 1st April 1974

Whereas it appears to the Secretary of State for Social Services that the provisions amended by this Order, being provisions of instruments made under the Mental Health Act 1959(a), are inconsistent with or require alteration in consequence of the National Health Service Reorganisation Act 1973(b):—

Now therefore, the Secretary of State for Social Services, in exercise of the power conferred upon him by section 57(5) of the said Act of 1973 and of all other powers enabling him in that behalf, hereby makes the following Order:—

## PART I

## GENERAL

*Citation and commencement*

1. This Order may be cited as the National Health Service Reorganisation (Consequential Amendments) Order 1974 and shall come into operation on 1st April 1974.

*Interpretation*

2.—(1) The rules for the construction of an Act of Parliament contained in the Interpretation Act 1889(c) shall apply for the purposes of the interpretation of this instrument as they apply for the purposes of the interpretation of an Act of Parliament.

(2) References in this Order to any enactment, order or regulations include references to such enactment, order or regulations as amended by any subsequent enactment, order or regulations.

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\*This instrument was laid before Parliament on 6th March 1974.

(a) 1959 c. 72.

(b) 1973 c. 32.

(c) 1889 c. 63.

## PART II

## MENTAL HEALTH

*Amendment of Mental Health (Hospital and Guardianship) Regulations*

3. In the Mental Health (Hospital and Guardianship) Regulations 1960(a) for the words "local health authority" wherever they occur in the forms numbered 3A, 3B, 5A, 5B, 8A, 8B, 20A and 20B in the Schedule to those Regulations, there shall be substituted the words "Area Health Authority" and wherever else the said words occur in those regulations there shall be substituted the words "local social services authority".

(2) In the said regulations for the words "regional hospital board" wherever they occur there shall be substituted the words "Regional Health Authority, Area Health Authority or special health authority" and for the word "board" wherever that word occurs otherwise than as part of the expression "regional hospital board" there shall be substituted the word "authority".

(3) In regulation 2(1) of the said regulations the definition of "officer of the managers" shall be omitted.

*Amendment of Mental Health Review Tribunal Rules*

4.—(1) In the Mental Health Review Tribunal Rules 1960(b) for the words "Regional Hospital Board area" wherever those words occur there shall be substituted the words "region of the Regional Health Authority or for Wales", for the words "regional hospital board" wherever those words occur, otherwise than as part of the expression "Regional Hospital Board area" or in rule 8(2)(c) of the said Rules, there shall be substituted the words "Regional Health Authority, Area Health Authority or special health authority", for the word "area" wherever that word occurs, otherwise than as part of the said expression, there shall be substituted the words "region or for Wales", and for the word "board" wherever that word occurs, otherwise than as part of the expression "regional hospital board", there shall be substituted the word "authority".

(2) In rule 2(1) of the said Rules the definition of "officer" shall be omitted.

(3) In rule 8(2)(c) of the said Rules for the words "headquarters officer of a regional hospital board" there shall be substituted the words "officer of a Regional Health Authority, Area Health Authority or special health authority" and rule 8(3) of the said Rules shall be omitted.

(4) In rule 28(2) of the said Rules for the words "moves to the area of" there shall be substituted the words "moves within the jurisdiction of" and for the words "tribunal for the area to which" there shall be substituted the words "tribunal within the jurisdiction of which".

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(a) S.I. 1960/1241 (1960 II, p. 1903).

(b) S.I. 1960/1139 (1960 II, p. 1962).

*Keith Joseph,*  
Secretary of State for Social Services.

18th February 1974.

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EXPLANATORY NOTE

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

This Order makes amendments to instruments made under the Mental Health Act 1959 which require alteration in consequence of provisions of the National Health Service Reorganisation Act 1973.

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