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 STATUTORY INSTRUMENTS
 

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1976 No. 1464

**NATIONAL HEALTH SERVICE, ENGLAND  
AND WALES**
**The National Health Service (Transfer of Trust  
Property—Liverpool) Order 1976**

*Made* - - - - - 7th September 1976

*Laid before Parliament* 10th September 1976

*Coming into Operation* 1st October 1976

The Secretary of State for Social Services in exercise of powers conferred upon him by section 26(2) of the National Health Service Reorganisation Act 1973(a) and all other powers enabling him in that behalf, on its appearing to him that all the functions of Special Trustees should be discharged by a Health Authority, and after consultation with the Special Trustees and the Health Authority concerned hereby makes the following Order:—

*Citation and commencement*

1. This Order may be cited as the National Health Service (Transfer of Trust Property—Liverpool) Order 1976 and shall come into operation on 1st October 1976.

*Interpretation*

2.—(1) In this Order, unless the context otherwise requires—

“the Act” means the National Health Service Reorganisation Act 1973;

“First Trustees” means the Special Trustees appointed pursuant to section 29(1) of the Act for the hospitals formerly controlled and managed by the East Liverpool University Hospital Management Committee;

“Second Trustees” means the Special Trustees appointed pursuant to section 29(1) of the Act for the hospitals formerly controlled and managed by the Board of Governors of the United Liverpool Hospitals;

“Health Authority” means the Liverpool Area Health Authority (Teaching.)

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

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(a) 1973 c. 32.

(b) 1889 c. 63.

*Transfer of Trust Property*

3.—(1) All trust property held by the First Trustees and Second Trustees immediately before the coming into operation of this Order, shall be transferred to and vest in the Health Authority without further conveyance, delivery or assurance.

(2) For the purposes of sections 27 and 28 of the Act (which provide for the application of transferred trust property) the First Trustees and Second Trustees shall, on the transfer of trust property pursuant to Article 3(1), identify to the Health Authority which part of the said trust property was or for the time being represents trust property which was first distributed or transferred to or accepted by them respectively pursuant to the provisions of sections 23, 24 and 29 of the Act.

*David Ennals,*  
Secretary of State for Social Services.

7th September 1976.

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EXPLANATORY NOTE

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

This Order transfers in accordance with section 26(2) of the National Health Service Reorganisation Act 1973 to the Liverpool Area Health Authority (Teaching), the trust property held by the Special Trustees named in the Order. It also provides for the origins of the trust property transferred to be identified.

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