Sealed with the Common Seal of the Northern Ireland Hospitals Authority this twenty-seventh day of February, one thousand nine hundred and sixty-two.

(L.S.)

(Sgd.) W. McKinney,

(Sgd.) H. Anderson,
Members of the Authority.

(Sgd.) E. H. Jones,
Secretary of the Authority.

1962. No. 46

As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.

1962. No. 47 **[NC]**

MENTAL HEALTH

Special Care Scheme

ORDER, DATED 21ST MARCH, 1962, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION 3 OF THE MENTAL HEALTH ACT (NORTHERN IRELAND), 1961.

Whereas sub-section (1) of Section 3 of the Mental Health Act (Northern Ireland), 1961(a) (in this Order referred to as "the Act") provides that it shall be the duty of the Northern Ireland Hospitals Authority (in this Order referred to as "the Authority") to submit to the Ministry of Health and Local Government (in this Order referred to as "the Ministry") a scheme (referred to in the Act as a "special care scheme") making provision for the general management and control of the services provided under the Act for persons requiring special care:

And whereas the Authority has submitted to the Ministry a special care scheme:

And whereas it is provided in sub-section (1) of section 5 of the Act that the Ministry may approve a special care scheme under that section with or without modifications:

And whereas the Ministry thinks fit to approve the special care scheme:

Now, therefore, the Ministry, in exercise of the powers conferred upon it by section 3 of the Mental Health Act (Northern Ireland), 1961, and of all other powers so enabling, hereby orders as follows:—

(a) 1961. c. 15.

1. This Order may be cited as the Mental Health (Special Care Scheme Approval) Order (Northern Ireland), 1962.

2. The Ministry hereby approves the special care scheme dated the 16th day of March, 1962, set out in the Schedule.

3.—(1) All property, whether real or personal (including choses-in-action) which immediately before the 2nd day of April, 1962, is vested in or belongs to or is held in trust for the existing Eastern Special Care Management Committee, or the existing South Western Special Care Management Committee being Management Committees constituted in accordance with Section 28 of the Health Services Act (Northern Ireland), 1948 (each of which is hereinafter referred to as "an existing committee") and all rights, powers and privileges relating to or connected with such property shall on that date and without any conveyance or assignment but subject where necessary to transfer in the books of any bank, corporation or company become and be vested in or the property of or held in trust for (as the case may require) as follows:—

(*a*) in the case of property of the existing Eastern Special Care Management Committee, the Eastern Special Care Management Committee constituted pursuant to the Special Care Scheme set out in the Schedule; and

(*b*) in the case of property of the existing South Western Special Care Management Committee, the South Western Special Care Management Committee constituted pursuant to the Special Care Scheme set out in the Schedule;

for all the estate, term or interest for which the same immediately before that date was vested in or belonged to or was held in trust for the respective existing committee but subject to all trusts and equities affecting the same and then subsisting and capable of being performed.

(2) All property transferred by this article which, immediately before the 2nd day of April, 1962, is standing in the books of any bank or is registered in the books of any bank, corporation or company in the name of an existing committee shall upon the request of the respective Management Committee to which the property is transferred made on or at any time after the 2nd day of April, 1962, be transferred in said books by such bank, corporation or company into the name of that Management Committee.

(3) On and after the 2nd day of April, 1962, every chose-in-action transferred by this article may be sued upon, recovered or enforced by the Management Committee to whom it was transferred in its own name and it shall not be necessary for that Management Committee to give notice to the person bound by such chose-in-action of the transfer effected by this article.

4. Every debt or other liability (including mortgage debts and also including unliquidated liabilities arising from torts or breaches of contract) which immediately before the 2nd day of April, 1962, is owing and unpaid or has been incurred and is undischarged by an existing committee shall, on that date, become and be the debt or liability of the particular Management Committee to which the property of that existing committee has been transferred and shall be paid or discharged by and may be recovered from or enforced against the Management Committee into whose name it has been transferred.

5. Every bond, guarantee or other security of a continuing character made or given by an existing committee to another person or by any person to