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M.R.H.A. - ADMIN.	
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FOR ACTION BY <i>Legal Adviser</i>	
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To: Regional General Managers  
District General Managers  
General Managers of Special Health Authorities  
for the London Postgraduate Teaching Hospitals  
Administrators of Family Practitioner Committees

20 December 1988

Dear Sir

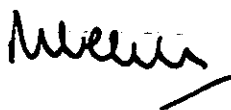
NATIONAL HEALTH SERVICE PROCEDURES FOR CARRYING OUT LAND TRANSACTIONS

1. This letter introduces Amendment No 12 to the NHS Handbook on Land Transactions, and draws attention to certain legal aspects following on from the restructuring in July this year of the Department of Health and Social Security into two separate Departments - the Department of Health and the Department of Social Security, each with its own Secretary of State.
2. This restructuring has now been given legal effect by the Transfer of Functions (Health and Social Security) Order 1988 (SI 1988/No. 1843). The Order formally divides the functions, property, rights and liabilities between the two new Secretaries of State, and came into force on 28 November 1988.
3. The order transfers to the new Secretary of State for Health the 'health and personal social services functions' which, before 26 July 1988, were entrusted to the Secretary of State for Social Services, together with all the associated property, rights and liabilities.
4. From 28 November 1988 all new instruments, contracts or other documents drawn up for land transactions purposes, should reflect the new title and address, ie the Secretary of State for Health, Richmond House, 79 Whitehall, London SW1A 2NS. Documents completed prior to that date are automatically transferred by virtue of the Order to the new Secretary of State and do not need to be amended.
5. All those who, before 26 July 1988, were authorised to execute documents on behalf of the Secretary of State for Social Services, have now authority under the Order to continue doing the same on behalf of the new Secretary of State.
6. The Secretary of State's new title should also be used where the Secretary of State appears as a party to any Court proceedings instituted on or after 28 November 1988, eg under the Landlord and Tenant Acts or to regain vacant possession of property occupied by squatters, gypsies or other caravan dwellers.

7. This letter should be brought to the attention of legal advisers and all those who are concerned with land transactions work.

8. This letter may be freely reproduced by all those to whom it is addressed, and will be cancelled and deleted from the current communications index on 1 January 1990.

Yours faithfully



T WHITELEY  
Assistant Secretary

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