STATUTORY INSTRUMENTS

2000 No. 3125

NATIONAL HEALTH SERVICE, ENGLAND

The Doncaster and Bassetlaw Hospitals National Health Service Trust (Establishment) Order 2000

Made - - - - - *23rd November 2000*

Coming into force - - *4th December 2000*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 5(1) of, and paragraphs 1, 3, 4, and 5 of Schedule 2 to, the National Health Service and Community Care Act 1990(**a**) and of all other powers enabling him in that behalf, having completed the consultation prescribed under section 5(2) of that Act(**b**), hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Doncaster and Bassetlaw Hospitals National Health Service Trust (Establishment) Order 2000 and shall come into force on 4th December 2000.

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

"the Act" means the National Health Service and Community Care Act 1990;

"community health services" means any services which the Secretary of State may provide under section 3(1)(d) or (e) of, or Schedule 1 to, the National Health Service Act 1977 and any service which he has a duty to provide under section 5(1) or (1A) of that Act(**c**);

"establishment date" means 4th December 2000;

"operation date" has the meaning assigned to it in paragraph 3(1)(e) of Schedule 2 to the Act;

"the trust" means the Doncaster and Bassetlaw Hospitals National Health Service Trust established by article 2 of this Order.

Establishment and name of trust

2. There is hereby established an NHS trust which shall be called the Doncaster and Bassetlaw Hospitals National Health Service Trust.

Nature and functions of the trust

3.—(1) The trust is established for the purposes specified in section 5(1) of the Act.

(2) The trust's functions shall be to provide goods and services, namely hospital accommodation and services and community health services, for the purposes of the health service at or from:

(a) Doncaster Royal Infirmary, Armthorpe Road, Doncaster, DN2 5LT

(**a**) 1990 c. 19; section 5 was amended by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 69(d) and by the Health Act 1999 (c. 8) section 13; paragraph 1 of Schedule 2 is cited for the definition of "an order"; paragraph 3 of Schedule 2 to the 1990 Act was amended by the Health Act 1999 section 13(7).

(**b**) *See* S.I. 1996/653.

(**c**) Section 5 was amended by section 5(1A) inserted by the Health and Medicines Act 1988 (c. 49) section 10(1); Schedule 1 was amended by the Education Act 1980 (c. 20), Schedule 1, and the Health and Medicines Act 1988 (c. 49), Schedule 2, paragraph 7.

(b) Bassetlaw District General Hospital, Kilton, Worksop, S18 0BD
(c) Montagu Hospital, Adwick Road, Mexborough, S64 0AZ
and at or from any associated hospitals, establisments or facilities.

Directors of trust

4. The trust shall have in addition to the chairman five executive directors and five non-executive directors.

Operational date and accounting date of the trust

5.—(1) The operational date shall be 1st April 2001.

(2) The accounting date of the trust shall be 31st March.

Limited functions before operational date

6. Between its establishment date and its operational date the trust shall have the functions—

(a) of entering into NHS contracts;
(b) of entering into other contracts including contracts of employment; and
(c) of doing such other things as are reasonably necessary to enable it to operate satisfactorily with effect from its operational date.

Assistance by Health Authorities before operational date

7.—(1) The Doncaster Health Authority shall discharge the liabilities of the trust incurred during the period from and including the establishment date until the operational date that are of a description specified in paragraph (2) of this article.

(2) The liabilities referred to in the previous paragraph are—

(a) liability for the remuneration and travelling or other allowances of the chairman and non-executive directors of the trust;
(b) liability for the travelling or other allowances of the members of committees and sub-committees of the trust who are not also directors of the trust;
(c) liability for the remuneration of persons employed by the trust; and
(d) any other liability which may reasonably be incurred by the trust for the purpose of enabling it to begin to operate satisfactorily with effect from the operational date.

Signed by authority of the Secretary of State for Health

Yvette Cooper
23rd November 2000 Parliamentary Under Secretary of State for Public Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the Doncaster and Bassetlaw Hospitals National Health Service Trust as an NHS trust provided for in section 5 of the National Health Service and Community Care Act 1990.

It provides for the functions of the trust (article 3) and the number of executive and non-executive directors (article 4). It specifies the operational date (the date on which the trust assumes all its functions), the accounting date of the trust (article 5) and the trust's limited functions before the operational date (article 6). It also specifies the trust's liabilities which will be discharged by the Doncaster Health Authority if incurred between the establishment date and the operational date (article 7).

This Order is to be read in conjunction with the Doncaster Royal Infirmary and Montagu Hospital and the Bassetlaw Hospital and Community Services National Health Service Trusts (Dissolution) Order 2000.

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