EXPLANATORY MEMORANDUM TO

THE HARROGATE AND DISTRICT NHS FOUNDATION TRUST (TRANSFER OF TRUST PROPERTY) ORDER 2007

2007 No. 3146

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. Description

The purpose of the Statutory Instrument is to transfer property held on trust (charitable property) from the Harrogate and District NHS Foundation Trust to North Yorkshire and York Primary Care Trust.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None

4. Legislative Background

The instrument has been made by the Secretary of State under section 213 of the National Health Service Act 2006. That section allows the Secretary of State to transfer trust property from one NHS body to another NHS body in the circumstances of change laid down in that section.

5. Extent

This instrument applies to England.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

Due to the reorganisation of services locally it is considered more appropriate after consultation with both the transferor Foundation Trust and the receiving Primary Care Trust, for North Yorkshire and York Primary Care Trust to hold and administer some of the trust property currently held by Harrogate and District NHS Foundation Trust. It is considered that the transfer will improve the efficiency of the management and administration of the charitable property.

8. Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

Chris Steele at the Department of Health, Tel 0113 254 5939 or e-mail Chris.Steele@dh.gsi.gov.uk, can answer any queries regarding the instrument.