STATUTORY INSTRUMENTS

2019 No. 346

NATIONAL HEALTH SERVICE, ENGLAND

The Hull and East Yorkshire Hospitals National Health Service Trust (Establishment) (Amendment) Order 2019

Made - - - -	*21st February 2019*
Coming into force - -	*1st March 2019*

The Secretary of State for Health and Social Care makes the following Order in exercise of the powers conferred by sections 25(1), 272(7)(a) and (8)(a) of the National Health Service Act 2006(**a**).

In accordance with section 25(3) of that Act, the consultation prescribed in regulations(**b**) made under that section has been completed.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Hull and East Yorkshire Hospitals National Health Service Trust (Establishment) (Amendment) Order 2019 and comes into force on 1st March 2019.

(2) In this Order, "the Establishment Order" means the Hull and East Yorkshire Hospitals National Health Service Trust (Establishment) Order 1999(**c**).

Amendment of interpretation provision

2. In Article 1(2) of the Establishment Order (citation, commencement and interpretation), omit the definition of "the Act".

Change of name and savings

3.—(1) In article 1(2) of the Establishment Order, in the definition of "the trust", for "and East Yorkshire" substitute "University Teaching".

(2) In article 2 of the Establishment Order (establishment and name of the trust), for "and East Yorkshire" substitute "University Teaching".

(3) The change of name effected by paragraphs (1) and (2) does not—

(a) affect any right or obligation of any person; or

(b) invalidate any instrument (whether made before, on or after the day on which this Order comes into force) which refers to the Hull and East Yorkshire Hospitals National Health

(**a**) 2006 c.41 ("the 2006 Act"). Section 179(2) of the Health and Social Care Act 2012 (c.7) provides for the repeal of section 25 of the 2006 Act but this provision is not yet in force.

(**b**) S.I. 2010/743, to which there are amendments not relevant to this Order. The prescribed consultation under regulation 2(2) of S.I. 2010/743 is, before making an order under section 25(1) of the 2006 Act in relation to an NHS trust, consultation by the Secretary of State with that NHS trust.

(**c**) S.I. 1999/2675.

Service Trust, and all instruments or other documents which refer to that name must be construed as referring to the Hull University Teaching Hospitals National Health Service Trust.

Change to nature and functions of the trust

4. For article 3 of the Establishment Order (nature and functions of the trust) substitute—

"**3.** The trust's functions are to provide goods and services, namely hospital accommodation and services and community health services, for the purposes of the health service.".

Change of requirement relating to director

5. For article 4 of the Establishment Order (directors of the trust) substitute—

"**4.**—(1) The trust must have, in addition to the chairman, 5 executive directors and 6 non-executive directors.

(2) Since the trust is to be regarded as having a significant teaching commitment, one of the non-executive directors must be appointed from the University of Hull.".

Removal of specification of operational date

6. For article 5 of the Establishment Order (operational date and accounting date of the trust) and the heading to that article, substitute—

"**Accounting date of the trust**

5. The accounting date of the trust is 31st March.".

Signed by the authority of the Secretary of State for Health and Social Care.

Stephen Hammond
Minister of State,
Department of Health and Social Care

21st February 2019

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Hull and East Yorkshire Hospitals National Health Service Trust (Establishment) Order 1999, which established the Hull and East Yorkshire Hospitals National Health Service Trust ("the trust").

Article 3 changes the name of the trust to the Hull University Teaching Hospitals National Health Service Trust.

Article 4 sets out the nature and functions of the trust as being to provide hospital accommodation and services and community health services.

Article 5 requires one of the non-executive directors of the trust to be appointed from the University of Hull.

Article 6 omits the specification of the trust's "operational date" as it ceases to be relevant.

A full impact assessment has not been produced for this instrument as it has no effect on private sector or civil society organisations, and no significant effect on the public sector.

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