STATUTORY INSTRUMENTS

2002 No. 1251

NATIONAL HEALTH SERVICE, ENGLAND

The Manchester Mental Health and Social Care Trust (Establishment) Order 2002

Made - - - - *22nd March 2002*

Coming into force *1st April 2002*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 5(1) of, and paragraphs 3, and 4, of Schedule 2 to, the National Health Service and Community Care Act 1990**(a)** and section 45(5) of the Health and Social Care Act 2001**(b)** and of all other powers enabling him in that behalf and having completed the consultation prescribed under section 5(2) of the National Health Service and Community Care Act 1990**(c)** makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Manchester Mental Health and Social Care Trust (Establishment) Order 2002 and shall come into force on 1st April 2002.

(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**(d)**;

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

"the trust" means the Trust established by article 2 of this Order.

Establishment and name of trust

2.—(1) There shall be established a National Health Service Trust which shall be called the Manchester Mental Health and Social Care Trust.

(2) The Trust shall be designated as a Care Trust**(e)**.

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

(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) 2001 c.15.

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

(d) 1977 c.49; section 5(1) was amended by, and section 5(1A) was inserted by the Health and Medicines Act 1988 (c.49), section 10(1); Schedule 1 was amended by the Education Reform Act 1988 (c.40), paragraph 21 of Schedule 12, the Health and Medicines Act 1988, Schedule 2, paragraph 7 and the Education Act 1996 (c. 56), schedule 37, paragraph 46.

(e) *See* section 45 of the Health and Social Care Act 2001.

accommodation and services, and community health services, for the purposes of the health service at or from Manchester Royal Infirmary, Oxford Road, Manchester, M13 9WL and at or from any associated hospitals, establishments and facilities.

(3) The trust is to be regarded as having a significant teaching commitment within the meaning of paragraph 3(1)(d) of Schedule 2 to the Act.

Directors of trust

4.—(1) The trust shall have in addition to the chairman, 6 executive directors and 8 non-executive directors.

(2) One of the non-executive Directors shall be appointed from the University of Manchester.

Operational date and accounting date of the trust

5.—(1) The operational date shall be 1st April 2002.

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

Signed by authority of the Secretary of State for Health

Jacqui Smith
Minister of State,
Department of Health

22nd March 2002

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the Manchester Mental Health and Social Care Trust as an NHS trust designated as a Care Trust, as provided for in section 5 of the National Health Service and Community Care Act 1990 and section 45 of the Health and Social Care Act 2001 (article 2). The Order 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) as the day on which the trust is established, and the accounting date of the trust (article 5). This Order does not impose a charge on businesses.

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