STATUTORY INSTRUMENTS

2026 No. 530

NATIONAL HEALTH SERVICE, ENGLAND

The Online National Health Service Trust (Establishment) Order 2026

Made - - - -	*13th May 2026*
Coming into force - -	*1st June 2026*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 25(1) and 272(7), and paragraphs 5 and 7 of Schedule 4 to, the National Health Service Act 2006(**a**).

The Secretary of State makes this Order following the completion of the consultation prescribed under section 25(3) of the National Health Service Act 2006(**b**).

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Online National Health Service Trust (Establishment) Order 2026 and comes into force on 1st June 2026.

(2) This Order extends to England and Wales.

(3) This Order applies in relation to England only(**c**).

Interpretation

2. In this Order—

"Care Quality Commission" means the body established by section 1 of the Health and Social Care Act 2008(**d**);

"establishment date" means the date on which the trust is established under article 3;

"operational date" means the date specified in article 6(1);

"the trust" means the National Health Service trust established by article 3.

(**a**) 2006 c. 41. The repeal of section 25 of, and Schedule 4 to, the National Health Service Act 2006 by section 179(2) of the Health and Social Care Act 2012 (c. 7) was not brought into force. Section 179(2) has itself been repealed by section 48 of the Health and Care Act 2022 (c. 31).

(**b**) Regulation 2(1) of S.I. 2010/743 (as amended by S.I. 2013/235) sets out the prescribed consultation and requires that, before making an order under section 25(1) of the National Health Service Act 2006 to establish an NHS trust, the Secretary of State must consult each relevant Local Healthwatch organisation.

(**c**) See section 271(1) of the National Health Service Act 2006, by virtue of which the functions of the Secretary of State being exercised in the making of this Order are exercisable only in relation to England.

(**d**) 2008 c. 14.

Establishment and name of the trust

3. There is established on 1st June 2026, a National Health Service trust which is called the Online National Health Service Trust.

Functions of the trust

4. The trust's functions are to provide goods and services for the purposes of the health service.

Directors of the trust

5. The trust shall have, in addition to the chairman, 5 executive directors and 6 non-executive directors.

Operational date and accounting date of the trust

6.—(1) The date specified as the operational date of the trust for the purposes of paragraph 5(5) of Schedule 4 to the National Health Service Act 2006 is 1st February 2027.

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

Limited functions before operational date

7. Between the establishment date and the operational date the trust has the functions—

(a) of entering into NHS contracts;

(b) of entering into other contracts including contracts of employment;

(c) of preparing to register with the Care Quality Commission; and

(d) of doing such things as are reasonably necessary to enable it to begin to operate satisfactorily with effect from the operational date.

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

Karin Smyth
Minister of State
13th May 2026 Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes a National Health Service trust called the Online National Health Service Trust ("the trust").

The Order sets out the functions of the trust (article 4), the number of executive and non-executive directors of the trust (article 5), the operational date (the date on which the trust assumes all its functions), the accounting date of the trust (article 6), and the limited functions that the trust may carry out between its establishment and operational dates (article 7).

A full impact assessment has not been produced for this instrument as no, or no significant, regulatory impact on the private, voluntary or public sector is foreseen.

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