STATUTORY INSTRUMENTS

2006 No. 2526

NATIONAL HEALTH SERVICE, ENGLAND

The Solihull Primary Care Trust (Change of Name) (Establishment) Amendment Order 2006

Made - - - -	*13th September 2006*
Coming into force - -	*1st October 2006*

The Secretary of State for Health makes the following Order in exercise of the powers conferred upon her by sections 16A(1) and (2) and 126(3) and (4) of, and paragraph 1 of Schedule 5A to, the National Health Service Act 1977(**a**) and section 45 of the Health and Social Care Act 2001(**b**).

She is of the opinion that designation of the Solihull Primary Care Trust as a Care Trust would be likely to promote the effective exercise by that trust of functions as specified in section 45(1)(b) of the latter Act.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Solihull Primary Care Trust (Change of Name) (Establishment) Amendment Order 2006 and shall come into force on 1st October 2006.

(2) In this Order—

"the Establishment Order" means the Solihull Primary Care Trust (Establishment) Order 2001(**c**); and

"the trust" means the Primary Care Trust established by the Establishment Order.

Change of name of the trust

2. The trust shall be called the Solihull Care Trust instead of the Solihull Primary Care Trust, and accordingly—

(**a**) 1977 c.49; section 16A was inserted by section 2(1) of the Health Act 1999 (c.8) ("the 1999 Act"); section 16A(1) was substituted for section 16A(1) as originally enacted by sections 2(1) and (2) of the National Health Service Reform and Health Care Professions Act 2002 (c.17)("the 2002 Act"); section 126(3) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c.19)("the 1990 Act"), paragraph 57 of Schedule 1 to the Health Authorities Act 1995 (c.17) and section 41(10) of, and paragraph 27 of Schedule 2 to, the National Health Service (Primary Care) Act 1997 (c.46); section 126(4) was amended by section 65(2) of the 1990 Act, section 65(1) of, and paragraph 4, 37(1) and (6) of Schedule 4 to, the 1999 Act, section 67(1) of, and paragraphs 5(1) and (13)(b) of Schedule 5 to, the Health and Social Care Act 2001 (c.15) ("the 2001 Act"), sections 6(3)(c) and 37(1) of, and paragraphs 1 and 10(a) of Schedule 8 to, the 2002 Act and by sections 184 and 196 of, paragraphs 7 and 38 of Schedule 11 to, and Part 4 of Schedule 14 to, the Health and Social Care (Community Health and Standards) Act 2003 (c.43)("the 2003 Act"); paragraph 1 of Schedule 5A was inserted by section 2(2) of the 1999 Act. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672 ("the 1999 Order"); *see* the entry in Schedule 1 to the 1999 Order for the National Health Service Act 1977 (c.49) as amended by section 66(4) and (5)(a) of the 1999 Act, section 67(1) of, and paragraph 12(1) and (3) of Schedule 5 to, the 2001 Act and section 196 of, and Part 4 of Schedule 14 to, the 2003 Act.

(**b**) 2001 c.15. For the purposes of that Act, the relevant authority is defined by section 66 to mean, in relation to England, the Secretary of State.

(**c**) S.I. 2001/211, which was amended by S.I. 2002/1405 and S.I. 2006/2077.

(a) in article 1(2) of the Establishment Order (citation, commencement and interpretation), in the definition of "the trust"; and

(b) in article 2 of the Establishment Order (establishment and name of the Primary Care Trust),

the words "Solihull Primary Care Trust" shall be replaced by the words "Solihull Care Trust".

Effect of change of name

3. The change of name effected by article 2 of this Order shall not—

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

(b) be taken as invalidating any instrument (whether made before, on, or after the day on which this Order comes into force) which refers to the trust by its previous name,

and all instruments and other documents which refer to the trust under its previous name shall be construed as referring to it under its new name.

Designation as a Care Trust

4. Article 2 of the Establishment Order (establishment and name of the Primary Care Trust) shall be numbered paragraph (1) of that article and there shall be added at the end the following paragraph—

"(2) The trust is designated as a Care Trust.".

Signed by authority of the Secretary of State

Rosie Winterton
Minister of State
Department of Health

13th September 2006

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Solihull Primary Care Trust (Establishment) Order 2001, which established the Solihull Primary Care Trust.

Article 2 of the Order changes the name of the trust from the Solihull Primary Care Trust to the Solihull Care Trust, and makes consequential amendments to the Establishment Order. Article 3 makes provision as to the effect of the change of name.

Article 4 designates the trust as a Care Trust, as provided for in section 45 of the Health and Social Care Act 2001.

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