STATUTORY INSTRUMENTS

1999 No. 794

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The South West London Community National Health Service Trust (Establishment) Order 1999

Made - - - - *15th March 1999*

Coming into force *1st April 1999*

The Secretary of State for Health, in exercise of the powers conferred on him by section 5(1) of, and paragraphs 1, 3 and 6(2)(d) of Schedule 2 to, the National Health Service and Community Care Act 1990**(a)** and of all other powers enabling him in that behalf, having completed the consultation prescribed by section 5(2) of that Act**(b)**, and considering it appropriate to include, among the functions of the NHS trust established by this Order, functions in relation to the provision of services by the trust for one or more Health Authorities or Special Health Authorities**(c)**, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the South West London Community National Health Service Trust (Establishment) Order 1999 and shall come into force on 1st April 1999.

(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 South West London Community National Health Service Trust established by article 2 of this Order.

Establishment of the trust

2. There is hereby established an NHS trust which shall be called the South West London Community National Health Service Trust.

Nature and functions of the trust

3.—(1) The trust is established for the purposes specified in section 5(1)(a) of the Act.

(2) The trust's functions shall be to own and manage pursuant to section 5(1)(a) of the Act

(a) 1990 c. 19; paragraph 1 of Schedule 2 is cited for the definition of "an order".
(b) Section 5 was amended by paragraph 69 of Schedule 1 to the Health Authorities Act 1995 (c. 17); *see* S.I. 1996/653.
(c) *See* section 5(6) of the National Health Service and Community Care Act 1990 (c. 19).
(d) 1977 c. 49; section 5 was amended by and section 5(1A) inserted by the Health and Medicines Act 1988 (c. 49), section 10(1); Schedule 1 was amended by the Education Act 1980 (c. 20), Schedule 1, and the Health and Medicines Act 1988, Schedule 2, paragraph 7.

Queen Mary's Hospital, Roehampton Lane, London SW15 5PN and associated hospitals, establishments and facilities, and there to provide and manage hospital accommodation and services, and there and from there to provide and manage community health services.

Directors of the trust

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

Operational date and accounting date of the trust

5.—(1) The operational date of the trust shall be 1st April 1999.

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

Restriction on disposal of assets

6. The sum specified for the purposes of paragraph 6(2)(d) of Schedule 2 to the Act (maximum value of freely disposable assets) in relation to the trust shall be £1,000,000.

Signed by authority of the Secretary of State for Health

John Denham
Minister of State,
Department of Health

15th March 1999

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes on 1st April 1999 the South West London Community National Health Service Trust ("the new trust"), an NHS trust provided for in section 5 of the National Health Service and Community Care Act 1990. It also provides for the functions of the new trust (article 3). It specifies the number of executive and non-executive directors of the new trust (article 4); the operational date (the date on which the new trust assumes all its functions) and the accounting date of the new trust (article 5); and the value above which assets cannot be disposed of without the Secretary of State's consent (article 6).

The new trust replaces the Merton and Sutton Community, the Richmond, Twickenham and Roehampton Healthcare and the Wandsworth Community Health National Health Service Trusts and this Order should be read in conjunction with The Merton and Sutton Community, the Richmond, Twickenham and Roehampton Healthcare and the Wandsworth Community Health National Health Service Trusts (Dissolution) Order 1999**(a)**.

(a) S.I. 1999/793.

£1.00

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