STATUTORY INSTRUMENTS

2002 No. 1296

NATIONAL HEALTH SERVICE, ENGLAND

The Southern Derbyshire Mental Health National Health Service Trust Change of Name and (Establishment) Amendment Order and the Community Health Care Service (North Derbyshire) National Health Service Trust (Dissolution) Order 2002

Made - - - -	*26th March 2002*
Coming into force	*1st April 2002*

The Secretary of State for Health, in exercise of the powers conferred on him by section 126(3) and (4) of the National Health Service Act 1977**(a)** and section 5(1) of, and paragraphs 1, 3 and 29(1) of Schedule 2 to, the National Health Service and Community Care Act 1990**(b)** and of all other powers enabling him in that behalf, considering it appropriate in the interests of the health service to dissolve the Community Health Care Service (North Derbyshire) National Health Service Trust**(c)**, and having completed the consultation prescribed under section 5(2) of and paragraph 29(3) of Schedule 2 to that Act**(d)**, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Southern Derbyshire Mental Health National Health Service Trust Change of Name and (Establishment) Amendment Order and the Community Health Care Service (North Derbyshire) National Health Service Trust (Dissolution) 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;

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

"the Order" means the Southern Derbyshire Mental Health National Health Service Trust (Establishment) Order 1992**(e)**;

"the trust" means the National Health Service trust established by the Order.

(a) 1977 c.49; section 126(3) and (4) was amended by the National Health Service and Community Care Act 1990 (c.19), section 65(2), by the Health Authorities Act 1995 (c.17) ("the 1995 Act"), Schedule 1, paragraph 57, by the National Health Service (Primary Care) Act 1997 (c.19), Schedule 2, paragraph 27 and by the Health Act 1999 (c.8) ("the 1999 Act"), Schedule 4, paragraph 37.

(b) 1990 c.19; section 5 was amended by the 1995 Act, Schedule 1, paragraph 69 and by the 1999 Act, section 13(1).

(c) *See* paragraph 29(2) of Schedule 2 to the 1990 Act.

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

(e) S.I. 1992/2473 as amended by S.I. 2001/1606 which changed the name of the trust to the Southern Derbyshire Community and Mental Health Services National Health Service Trust.

Change of name of NHS trust, consequential amendments and transitional provisions

2.—(1) The trust shall be called the Derbyshire Mental Health Services National Health Service Trust instead of the Southern Derbyshire Community and Mental Health Services National Health Service Trust, and accordingly in article 1 of the Order in the definition of "the trust", and in article 2 of the Order, for "Southern Derbyshire Community and Mental Health Services" there shall be substituted "Derbyshire Mental Health Services".

(2) The change of name effected by paragraph (1) 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.

(3) In article 3(2) of the Order the words "the Community and Mental Health Services," shall be omitted.

Dissolution of NHS Trust

4. The Community Health Care Service (North Derbyshire) National Health Service Trust established by the Community Health Care Service (North Derbyshire) National Health Service Trust (Establishment) Order 1993**(a)** is hereby dissolved, and accordingly that Order is revoked.

Signed by authority of the Secretary of State for Health

Yvette Cooper
Parliamentary Under Secretary of State,
Department of Health

26th March 2002

(a) S.I. 1993/2602.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Southern Derbyshire Mental Health National Health Service Trust (Establishment) Order 1992, which established the Southern Derbyshire Mental Health National Health Service Trust, and changes the name of that trust.

Article 2 of the Order changes the name of the trust from the Southern Derbyshire Community and Mental Health Services National Health Service Trust to the Derbyshire Mental Health Services National Health Service Trust, and makes consequential amendments to the Establishment Order and transitional provisions.

The trust will provide certain services previously provided by the Community Health Care (North Derbyshire) National Health Service Trust which is dissolved by article 4 of this Order.

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