STATUTORY INSTRUMENTS

2004 No. 436

NATIONAL HEALTH SERVICE, ENGLAND

The Special Trustees for St. Mary's Hospital (Transfer of Trust Property) Order 2004

Made - - - -	*23rd February 2004*
Laid before Parliament	*26th February 2004*
Coming into force - -	*1st April 2004*

The Secretary of State for Health, in exercise of the powers conferred on him by section 92(6) of the National Health Service Act 1977(**a**), and of all other powers enabling him in that behalf, it appearing to him that the functions of the Special Trustees for St. Mary's Hospital should be discharged by the trustees for St. Mary's National Health Service Trust(**b**) and having consulted the Special Trustees and the trustees in accordance with the said section 92(6), hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Special Trustees for St. Mary's Hospital (Transfer of Trust Property) Order 2004 and shall come into force on 1st April 2004.

(2) In this Order—

"the Special Trustees" means the Special Trustees for St. Mary's Hospital;

"the Trust" means the St. Mary's National Health Service Trust;

"the trustees" means the trustees for the Trust appointed under the St. Mary's National Health Service Trust (Trust Funds: Appointment of Trustees) Order 2004(**c**);

"the trust property" means the trust property specified in a Schedule prepared, agreed upon and signed by or on behalf of the Special Trustees and the trustees on or before 31st March 2004.

(**a**) 1977 c.49 ("the 1977 Act"); section 92 was amended by section 11 (5) of the National Health Service and Community Care Act 1990 (c.19)("the 1990 Act"), by paragraph 44 of Schedule 1 to the Health Authorities Act 1995 (c.17) and by paragraph 28 of Schedule 4 to the Health Act 1999 (c.8)("the 1999 Act"); section 126 (4) was amended by section 65(2) of the 1990 Act and by paragraph 37(6) of Schedule 4 to the 1999 Act. As regards Wales, the functions of the Secretary of State under the above mentioned powers are transferred to the National Assembly for Wales under article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999 S.I.1999/672, as amended by section 66(5) of the 1999 Act; this Order therefore only applies to England.

(**b**) See S.I. 1991/2395

(**c**) See S.I. 2004/435

Transfer of trust property

2. On 1st April 2004 the trust property shall be transferred from the Special Trustees to the trustees.

Signed by authority of the Secretary of State for Health

John Hutton
Minister of State,
Department of Health

23rd February 2004

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers to the trustees for the St. Mary's National Health Service Trust, on 1st April 2004, trust property held by the Special Trustees for St. Mary's Hospital. A copy of the schedule of trust property to which the Order refers can be obtained from the Department of Health, Quarry House, Quarry Hill, Leeds LS2 7UE.

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