EXPLANATORY MEMORANDUM TO

THE TRUSTEES FOR ST MARY'S NATIONAL HEALTH SERVICE TRUST (TRANSFER OF TRUST PROPERTY) ORDER 2008

2008 No. 894

1 This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2 Description

The purpose of the Statutory Instrument is to transfer property held on trust (charitable property) from the Trustees for St Mary's National Health Service Trust to the Trustees for Imperial College Healthcare National Health Service Trust.

3 Matters of special interest to the Joint Committee on Statutory Instruments

None

4 Legislative Background

The instrument is made by the Secretary of State under section 213 of the National Health Service Act 2006. That section allows the Secretary of State to transfer trust property from one NHS body to another NHS body in the circumstances of change laid down in that section.

5 Extent

This instrument applies to England.

6 European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7 Policy background

Due to the merger of St Mary's National Health Service Trust with Hammersmith Hospitals National Health Service Trust to form the Imperial College Healthcare National Health Service Trust, it is considered more appropriate after consultation with both the transferor Trustees and the receiving Trustees, for the Trustees for Imperial College Healthcare National Health Service Trust to hold and administer the trust property currently held by the Trustees for St Mary's National Health Service Trust. It is considered that the transfer will improve the efficiency of the management and administration of the charitable property.

8 Impact

An Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9 Contact

Chris Steele at the Department of Health, Tel 0113 254 5939 or e-mail Chris.Steele@dh.gsi.gov.uk, can answer any queries regarding the instrument.