EXPLANATORY MEMORANDUM TO THE

THE UNIVERSITY HOSPITAL OF NORTH STAFFORSDHIRE NATIONAL HEALTH SERVICE TRUST (TRANSFER OF TRUST PROPERTY) ORDER 2005

2005 No.436

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

2 Description

2.1 The purpose of the Statutory Instrument is to transfer property held on trust (charitable property) from the University Hospital of North Staffordshire National Health Service Trust to the North Staffordshire Combined Healthcare National Health Service Trust. This instrument is made under sections 92(1), 96(1) and 126(4) of the National Health Service Act 1977.

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

3.1 None

4 Legislative Background

4.1 Due to the reorganisation of the NHS and following consultation between University Hospital of North Staffordshire NHS Trust, North Staffordshire Combined Healthcare NHS Trust and North Stoke PCT, it has been decided that North Staffordshire Combined Healthcare NHS Trust would be the most appropriate body to hold and administer the charitable funds for all these Trusts.

5 Extent

5.1 This instrument applies to England.

6 European Convention on Human Rights

The Minister for Health has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the University Hospital of North Staffordshire National Health Service Trust (Transfer of Trust Property) Order are compatible with the Convention rights.

7 Policy background

7.1 The policy objectives are to transfer trust property, together with any rights and liabilities arising from that property, from the University Hospital of North Staffordshire National Health Service Trust to the North Staffordshire Combined Healthcare National Health Service Trust.

The consultation required by Section 92(3) of the National Health Service Act 1977 between the Secretary of State and the bodies concerned has taken place.

8 Impact

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

9 Contact

Melanie Smith at the Department of Health, Tel 0113 254 5390 or e-mail Melanie.a.smith@dh.gsi.gov.uk, can answer any queries regarding the instrument.