STATUTORY INSTRUMENTS

2009 No. 750

NATIONAL HEALTH SERVICE, ENGLAND

The Western Sussex Hospitals National Health Service Trust (Establishment) and the Royal West Sussex National Health Service Trust and the Worthing and Southlands Hospitals National Health Service Trust (Dissolution) Order 2009

Made - - - -	*17th March 2009*
Coming into force - -	*1st April 2009*

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 25(1), 272(7) and (8) and 273(1) of, and paragraphs 5 and 28 of Schedule 4 to, the National Health Service Act 2006(**a**).

The Secretary of State makes this Order following the completion of the consultation prescribed under section 25(3) of, and paragraph 28(3) of Schedule 4 to, the Act(**b**).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Western Sussex Hospitals National Health Service Trust (Establishment) and Royal West Sussex National Health Service Trust and the Worthing and Southlands Hospitals National Health Service Trust (Dissolution) Order 2009 and shall come into force on 1st April 2009.

(2) In this Order—

"the Act" means the National Health Service Act 2006;

"community health services" means any services which the Secretary of State may provide under section 3(1)(d) or (e) of, or paragraph 2 or 7A of Schedule 1 to, the Act and any service which he has a duty to provide under paragraph 1 or 8 of that Schedule;

"dissolution date" means the date this Order comes into force;

"operational date" has the meaning assigned to it in paragraph 5(5) of Schedule 4 to the Act;

"the Royal West Sussex Order" means the Royal West Sussex National Health Service Trust (Establishment) Order 1994(**c**);

"the trust" means the Western Sussex Hospitals National Health Service Trust established by article 2 of this Order;

"the Worthing and Southlands Order" means the Worthing and Southlands Hospitals National Health Service Trust (Establishment) Order 1993(**d**).

(**a**) 2006 c.41.
(**b**) *See* S.I. 1996/653; amended by S.I. 2001/3788.
(**c**) S.I. 1994/166.
(**d**) S.I. 1993/2643.

Establishment and name of the trust

2. There is established a National Health Service trust which shall be called the Western Sussex Hospitals National Health Service Trust.

Nature and functions of the trust

3.—(1) The trust is established for the purposes specified in section 25(1) of the Act.

(2) The trust's functions shall be to provide goods and services, namely hospital accommodation and services, and community health services, for the purposes of the health service.

Directors of the trust

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

(2) If the Secretary of State suspends the chairman, or a non-executive director of the trust, the number of non-executive directors of the trust shall increase during the period of suspension by the number of persons so suspended.

Operational date and accounting date of the trust

5.—(1) The operational date of the trust shall be 1st April 2009.

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

Dissolution of NHS trusts

6. On the dissolution date—

(a) the Royal West Sussex National Health Service Trust, which was established by the Royal West Sussex Order; and

(b) the Worthing and Southlands Hospitals National Health Service Trust, which was established by the Worthing and Southlands Order,

are dissolved, and accordingly the Royal West Sussex Order and the Worthing and Southlands Order are revoked.

Signed by authority of the Secretary of State for Health.

Dawn Primarolo
Minister of State,
Department of Health

17th March 2009

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the Western Sussex Hospitals National Health Service Trust as a National Health Service trust.

The Order sets out the functions of the trust (article 3), the number of executive and non-executive directors of the trust (article 4), the operational date (the date on which the trust assumes all its functions) and the accounting date of the trust (article 5).

This Order also dissolves the Royal West Sussex National Health Service Trust and the Worthing and Southlands Hospitals National Health Service Trust.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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