
STATUTORY INSTRUMENTS

1994 No. 3176

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The Sussex Ambulance Service National Health
Service Trust (Establishment) Order 1994**

Made - - - - *12th December 1994*
22nd December
Coming into force - - *1994*

The Secretary of State for Health, in exercise of powers conferred on her by section 5(1) of, and paragraphs 1, 3, 4, 5 and 6(2)(d) of Schedule 2 to, the National Health Service and Community Care Act 1990(1) and of all other powers enabling her in that behalf, having directed the relevant Regional Health Authority, as defined in section 5(4) of that Act, to consult the persons or bodies referred to in section 5(2) of that Act and having received and considered the results of that consultation, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Sussex Ambulance Service National Health Service Trust (Establishment) Order 1994 and shall come into force on 22nd December 1994.

(2) In this Order, unless the context otherwise requires—

“the Act” means the National Health Service and Community Care Act 1990;

“establishment date” means 22nd December 1994;

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

“the trust” means the Sussex Ambulance Service National Health Service Trust established by article 2 of this Order.

Establishment of the trust

2. There is hereby established an NHS trust which shall be called the Sussex Ambulance Service National Health Service Trust.

(1) 1990 c. 19; paragraph 1 of Schedule 2 is cited for the definition of “an order”.

Nature and functions of the trust

3.—(1) The trust is established for the purpose specified in section 5(1)(a) of the Act.

(2) The trust's functions (which include functions which the Secretary of State considers appropriate in relation to the provision of services by the trust for one or more health authorities) shall be—

- (a) to manage ambulance and associated transport services;
- (b) to manage such other services, relating to the provision of care, as can reasonably be carried out in conjunction with the management of ambulance and associated transport services,

from Ambulance Headquarters, Southfields Road, Eastbourne, East Sussex BN21 1BZ, and to own associated premises.

Directors of the trust

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

Operational date and accounting date of trust

5.—(1) The operational date of the trust shall be 1st April 1995.

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

Limited functions before operational date

6. Between its establishment date and its operational date the trust shall have the functions—

- (a) of entering into NHS contracts;
- (b) of entering into other contracts, including contracts of employment; and
- (c) of doing such other things as are reasonably necessary to enable it to begin to operate satisfactorily with effect from its operational date.

Assistance by health authorities before operational date

7.—(1) The East Sussex Health Authority and the Worthing District Health Authority shall—

- (a) until the operational date, make such staff and facilities available to the trust as are required to enable the trust to carry out its limited functions pending the transfer or appointment of staff to or by the trust and the transfer of facilities to the trust;
- (b) make available such premises as are required to enable the trust to carry out its limited functions pending the transfer of those premises to the trust.

(2) The East Sussex Health Authority and the Worthing District Health Authority shall discharge the liabilities of the trust, incurred between the establishment date and the operational date, that are of a description specified in paragraph (3) of this article.

(3) The liabilities referred to in the preceding paragraph are—

- (a) liability for the remuneration and travelling or other allowances of the chairman and non—executive directors of the trust;
- (b) liability for the travelling or other allowances of the members of committees and sub—committees of the trust who are not also directors of the trust;
- (c) liability for the remuneration of persons employed by the trust; and

(d) any other liability which may reasonably be incurred by the trust for the purpose of enabling it to begin to operate satisfactorily with effect from its operational date.

(4) The health authorities specified for the purposes of paragraph 3(1)(f) of Schedule 2 to the Act (authorities which are to make the scheme under section 6 of the Act for the transfer of staff) in relation to the trust shall be the East Sussex Health Authority and the Worthing District Health Authority.

(5) In performing their functions under this article the East Sussex Health Authority and the Worthing District Health Authority shall act in accordance with any directions from the Secretary of State under section 17 of the National Health Service Act 1977⁽²⁾.

Restriction on disposal of assets

8. The sum specified for the purposes of paragraph 6(2)(d) of Schedule 2 to the Act (maximum value of freely disposable assets) in relation to the trust shall be £1,000,000.

Signed by authority of the Secretary of State for Health

12th December 1994

Tom Sackville
Parliamentary Under Secretary of State,
Department of Health

(2) 1977 c. 49; section 17 was substituted by the Health and Social Security Act 1984 (c. 48), Schedule 3, paragraph 2, and amended by the National Health Service and Community Care Act 1990 (c. 19), sections 3 and 12.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the Sussex Ambulance Service National Health Service Trust, an NHS trust provided for in section 5 of the National Health Service and Community Care Act 1990. It also provides for the functions of the trust both before (article 6) and after (article 3) its operational date (the date on which it assumes all its functions). It specifies the operational date and the accounting date of the trust (article 5) and makes provision for assistance to the trust by health authorities before its operational date (article 7). It specifies the value of assets in excess of which the Secretary of State is to consider the disposal of the asset (article 8).