
STATUTORY INSTRUMENTS

1996 No. 401

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The University College London Hospitals National
Health Service Trust (Establishment) Order 1996**

Made - - - - - *23rd February 1996*
Coming into force - - - - - *4th March 1996*

The Secretary of State for Health, in exercise of powers conferred on him 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 him 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, and being of the opinion that the trust established by the Order is to have functions which are appropriate in relation to the provision of services for one or more health authorities, and that a hospital for which the trust is to assume responsibility has a significant teaching and research commitment, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the University College London Hospitals National Health Service Trust (Establishment) Order 1996 and shall come into force on 4th March 1996.

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

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

“establishment date” means 4th March 1996;

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

“the trust” means the University College London Hospitals 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 University College London Hospitals 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 shall be to own and manage hospital accommodation and services provided at 9th Floor, St Martin's House, 140 Tottenham Court Road, London W1P 9LN and associated hospitals (including the management of its teaching and research facilities).

Directors of the trust

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

(2) There shall be included among the non-executive directors a person appointed from the University of London.

Operational date and accounting date of the trust

5.—(1) The operational date of the trust shall be 1st April 1996.

(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 Board of Governors of the National Hospital for Neurology and Neurosurgery and the Board of Governors of the Eastman Dental Hospital 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 premises to the trust.

(2) The Board of Governors of the National Hospital for Neurology and Neurosurgery and the Board of Governors of the Eastman Dental Hospital 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 schemes under section 6 of the Act for the transfer of staff) in relation to the trust shall be the Board of Governors of the National Hospital for Neurology and Neurosurgery and the Board of Governors of the Eastman Dental Hospital.

(5) In performing their functions under this article the Board of Governors of the National Hospital for Neurology and Neurosurgery and the Board of Governors of the Eastman Dental Hospital 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

Department of Health
23rd February 1996

John Horam
Parliamentary Under Secretary of State,

(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 University College London Hospitals 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).