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STATUTORY INSTRUMENTS

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**1997 No. 876**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The Pembrokeshire and Derwen National Health  
Service Trust (Establishment) Order 1997**

*Made* - - - - *3rd March 1997*

*Coming into force* - - *1st April 1997*

The Secretary of State for Wales, in exercise of the 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, after completion of the consultation prescribed under section 5(2) of that Act(2), hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Pembrokeshire and Derwen National Health Service Trust (Establishment) Order 1997 and shall come into force on 1st April 1997.

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

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

“community health services” means any services which the Secretary of State may provide under section 3(1)(d) or (e) of, or Schedule 1 to, the National Health Service Act 1977 and any service which he has a duty to provide under section 5(1) or (1A) of that Act(3);

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

“the trust” means the Pembrokeshire and Derwen National Health Service Trust established by article 2 of this Order.

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(1) 1990 c. 19; paragraph 1 of Schedule 2 is cited for the definition of “an order”; paragraphs 3 to 6 were amended by paragraph 85 of Schedule 1 to the Health Authorities Act 1995 (c. 17) (“the 1995 Act”).

(2) Section 5(2) was substituted by paragraph 69 of Schedule 1 to the 1995 Act.

(3) 1977 c. 49; section 5(1) was amended by the Health and Medicines Act, 1988 (c. 49), section 25 and Schedule 3 and the Education Reform Act 1988 (c. 40), section 237 and Schedule 12; section 5(1A) and (1B) were inserted by the Health and Medicines Act 1988, section 10(1); Schedule 1 was amended by the Education Act 1993 (c. 20), Schedule 19, paragraph 70 and the Health and Medicines Act 1988, Schedule 2, paragraph 7.

### **Establishment of the trust**

2. There is hereby established an NHS trust which shall be called the Pembrokeshire and Derwen National Health Service Trust.

### **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 own and manage hospital accommodation and services provided at Withybush General Hospital, Fishguard Road, Haverfordwest SA61 2PZ and associated hospitals;
- (b) to manage community health services provided from Withybush General Hospital, Fishguard Road, Haverfordwest SA61 2PZ and to own the associated premises;
- (c) to own and manage hospital accommodation and services provided at St David's Hospital, Carmarthen SA31 3HB and associated hospitals;
- (d) to manage community health services provided from St David's Hospital, Carmarthen SA31 3HB and to own the associated premises;
- (e) to manage ambulance and associated transport services and to manage such other services (including communications and training) relating to the provision of care as can reasonably be carried out in conjunction with the management of ambulance and associated transport services from Withybush General Hospital, Fishguard Road, Haverfordwest SA61 2PZ and to own the associated premises.

### **Directors of the trust**

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

### **Operational date and accounting date of the trust**

5.—(1) The operational date of the trust shall be 1st April 1997.

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

### **Restriction on disposal of assets**

6. 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.

3rd March 1997

*William Hague*  
Secretary of State for Wales

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order establishes the Pembrokeshire and Derwen 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 (article 3). It specifies the operational date and the accounting date of the trust (article 5). It specifies the value of assets in excess of which the Secretary of State is to consider the disposal of the asset (article 6).