
STATUTORY INSTRUMENTS

1999 No. 370

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The Birmingham Children’s Hospital National Health
Service Trust (Establishment) Amendment Order 1999**

Made - - - - 17th February 1999

Coming into force - - 1st March 1999

The Secretary of State for Health, in exercise of the powers conferred on him by section 126(3) of the National Health Service Act 1977(1) and section 5(1) of the National Health Service and Community Care Act 1990(2) and of all other powers enabling him in that behalf, after completion of the consultation prescribed under section 5(2) of the latter Act(3), considering it appropriate that the functions of the trust should include functions in relation to the provision of services for one or more Health Authorities(4), hereby makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Birmingham Children’s Hospital National Health Service Trust (Establishment) Amendment Order 1999 and shall come into force on 1st March 1999.

(2) In this Order, “the Order” means the Birmingham Children’s Hospital National Health Service Trust (Establishment) Order 1994(5).

Amendment of NHS trust Establishment Order

2. In article 3 of the Order (functions of the trust)—

(1) In paragraph (1), for the words “section 5(1)(a) of the Act” there shall be substituted the words “section 5(1) of the Act”.

(2) For sub-paragraph (2)(a), there shall be substituted:

(1) 1977 c. 49; section 126(3) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”) and by paragraph 57 of Schedule 1 to the Health Authorities Act 1995 (c. 17) (“the 1995 Act”) and by section 41(10) and paragraph 27 of Schedule 2 to the National Health Service (Primary Care) Act 1997 (c. 46).
(2) 1990 c. 19. Section 5 was amended by paragraph 69 of Schedule 1 to the 1995 Act.
(3) See S.I. 1996/653, regulation 2(2).
(4) See section 5(6) of the 1990 Act.
(5) S.I. 1994/3182.

- “(a) to own and manage pursuant to section 5(1)(a) of the Act The Diana, Princess of Wales Children’s Hospital, Steelhouse Lane, Birmingham B4 6NH and associated hospitals (including the management of its teaching and research facilities), and there to provide and manage hospital accommodation and services;”.
- (3) In sub-paragraph 2(b), the words “pursuant to section 5(1)(a) of the Act” shall be inserted between the words “manage” and “community”.
- (4) After sub-paragraph (2)(b) there shall be inserted the following:
“; and
(c) to provide and manage pursuant to section 5(1)(b) of the Act The Jack Ashley Centre, Church Road, Birmingham B15 3TD, and there to provide and manage hospital accommodation and services.”.

Signed by authority of the Secretary of State for Health.

17th February 1999

John Denham
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Order (“the Establishment Order”) which established the Birmingham Children’s Hospital National Health Service Trust.

The Establishment Order is amended to confer on the trust the purposes specified in section 5(1)(a) of the National Health Service and Community Care Act 1990 to own and manage The Diana, Princess of Wales Children’s Hospital, Steelhouse Lane, Birmingham B4 6NH and associated hospitals (including the management of its teaching and research facilities).

The Establishment Order is further amended to confer on the trust the purposes specified in section 5(1)(b) of the National Health Service and Community Care Act 1990 to provide and manage The Jack Ashley Centre, Church Road, Birmingham B15 3TD.