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STATUTORY INSTRUMENTS

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**2000 No. 616**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Avon Health Authority (Transfer  
of Trust Property) Order 2000**

<i>Made</i>	- - - -	<i>9th March 2000</i>
<i>Laid before Parliament</i>		<i>10th March 2000</i>
<i>Coming into force</i>	- -	<i>1st April 2000</i>

The Secretary of State for Health, in exercise of the powers conferred on him by sections 92(1) and 126(4) of the National Health Service Act 1977(1) and of all other powers enabling him in that behalf, having regard to changes in the arrangements for the administration of hospitals, establishments and facilities managed by the United Bristol Healthcare National Health Service Trust and having consulted Avon Health Authority and the trustees for the said National Health Service trust, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Avon Health Authority (Transfer of Trust Property) Order 2000 and shall come into force on 1st April 2000.

(2) In this Order—

“the Authority” means the Avon Health Authority;

“the new trustees” means the trustees for the United Bristol Healthcare National Health Service Trust(2);

“the trust property” means the property specified in a schedule of trust property prepared by, agreed upon by and signed on behalf of the Authority and the new trustees on 8th March 2000.

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(1) 1977 c. 49 (“the 1977 Act”); section 92 was amended by section 11(5) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), by paragraph 44 of Schedule 1 to the Health Authorities Act 1995 (c. 17) and by paragraph 28 of Schedule 4 to the Health Act 1999 (c. 8). (“the 1999 Act”); section 126(4) was amended by section 65(2) of the 1990 Act and by paragraph 37(6) of schedule 4 to the 1999 Act. As regards Wales, the functions of the Secretary of State under the above mentioned powers are transferred to the National Assembly for Wales under article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999 S.I. 1999/672 as amended by section 66(5) of the 1999 Act; this Order therefore only extends to England.

(2) See section 11 of the 1990 Act and S.I. 2000/212.

### **Transfer of trust property**

**2.—**(1) On 1st April 2000 the trust property, and any rights and liabilities arising from that property<sup>(3)</sup>, shall be transferred from the Authority to the new trustees.

(2) In any trust instrument relating to the trust property, any reference to the name by which the trustees of the trust property are to be known shall be construed as a reference to the new trustees and any reference to the Authority in the name by which the charitable trust governing the trust property is to be known shall be construed as a reference to the United Bristol Healthcare National Health Service Trust.

Signed by Authority of the Secretary of State for Health

9th March 2000

*John Denham*  
Minister of State,  
Department of Health

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(3) See section 96(1) of the 1977 Act as amended by paragraph 29 of Schedule 4 to the 1999 Act.

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

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## **EXPLANATORY NOTE**

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

This Order transfers to the trustees for the United Bristol Healthcare National Health Service Trust trust property held by the Avon Health Authority and makes related provision. A copy of the schedule of trust property transferred under this Order can be obtained from the Department of Health, Financial and Audit Support Branch, Quarry House, Quarry Hill, Leeds LS2 7UE.