

2002 No. 1009

NATIONAL HEALTH SERVICE, ENGLAND

**The Nelson and West Merton Primary Care Trust
(Establishment) Amendment and Change of Name Order
2002**

Made - - - - - *20th March 2002*

Coming into force *1st April 2002*

The Secretary of State for Health, in exercise of the powers conferred on him by sections 16A(1), (2) and (3) and 126(3) and (4) of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf, following compliance with the consultation requirements contained in regulations made under section 16A(5) of that Act(b), hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Nelson and West Merton Primary Care Trust (Establishment) Amendment and Change of Name Order 2002 and shall come into force on 1st April 2002.

(2) In this Order “the Order” means the Nelson and West Merton Primary Care Trust (Establishment) Order 2000(c);

and “the trust” means the trust established by the Order.

Change of name of Primary Care Trust and transitional provisions

2.—(1) The trust shall be called the Sutton and Merton Primary Care Trust instead of the Nelson and West Merton Primary Care Trust, and accordingly in article 1 of the Order in the definition of “the trust”, and in article 2 of the Order, for the words “Nelson and West Merton” there shall be substituted the words “Sutton and Merton”.

(2) The change of name effected by paragraph (1) shall not—

- (a) affect any right or obligation of any person; or
- (b) be taken as invalidating any instrument (whether made before, on or after the day on which this Order comes into force) which refers to the trust by its previous name;

and all instruments and other documents which refer to the trust under its previous name shall be construed as if referring to it under its new name.

(a) 1977 c.49; section 16A was inserted by the Health Act 1999 (c.8) (“the 1999 Act”), section 2(1); section 126(3) and (4) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), by paragraph 57 of Schedule 1 to the Health Authorities Act 1995 (c.17) (“the 1995 Act”), by section 41(10) of, and paragraph 27 of Schedule 2 to, the National Health Service (Primary Care) Act 1997 (c.46) and by section 65(1), of, and paragraph 37 of Schedule 4 to, the 1999 Act. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of, and the entry for the National Health Service Act 1977 in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act.

(b) See S.I. 1999/2337.

(c) S.I. 2000/254.

Further Amendments of the Primary Care Trust Establishment Order

3.—(1) Article 8 shall be deleted.

(2) For the Schedule to the Order there shall be substituted the following Schedule—

“SCHEDULE
AREA OF TRUST

Article 3

The London Borough of Merton.
The London Borough of Sutton.”

Signed by authority of the Secretary of State for Health

20th March 2002

John Hutton
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the establishment order of the Nelson and West Merton Primary Care Trust (“the trust”), a Primary Care Trust established by Order under section 16A of the National Health Service Act 1977.

Article 2 of the Order changes the name of the trust to the Sutton and Merton Primary Care Trust.

Article 3 removes the restriction on the provision of services other than community health services to patients. It also substitutes a new Schedule which specifies the area for which the trust is established.

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