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STATUTORY INSTRUMENTS

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**2002 No. 2420**

**NATIONAL HEALTH SERVICE, ENGLAND**

The County Durham and Darlington Acute Hospitals  
National Health Service Trust (Establishment) and  
the North Durham Health Care National Health  
Service Trust and South Durham Health Care National  
Health Service Trust (Dissolution) Order 2002

*Made* - - - - 20th September 2002

*Coming into force* - - 1st October 2002

The Secretary of State for Health, in exercise of the powers conferred upon him by sections 126(3) of the National Health Service Act 1977(1) and by section 5(1) of, and paragraphs 1, 3, and 29(1) of Schedule 2 to, the National Health Service and Community Care Act 1990(2), and of all other powers enabling him in that behalf, considering it appropriate in the interests of the health service to dissolve the North Durham Health Care National Health Service Trust(3) and the South Durham Health Care National Health Service Trust(4), and having completed the consultation prescribed under section 5(2) of, and paragraphs 29(3) of Schedule 2 to, the National Health Service and Community Care Act 1990(5), hereby makes the following order:

**Citation, commencement, interpretation, and extent**

1.—(1) This order may be cited as the County Durham and Darlington Acute Hospitals National Health Service Trust (Establishment) and the North Durham Health Care National Health Service Trust and South Durham Health Care National Health Service Trust (Dissolution) Order 2002, and shall come into force on 1 October 2002.

(2) In this Order—

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

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- (1) 1977 c. 49 (“the 1977 Act”). Section 126(3) was amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), s65(2), and the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 27.
- (2) 1990 c. 19. Section 5(1) was amended by the Health Act 1999 (c. 8) (“the 1999 Act”), section 13(1)(a), (10), and by section 65(2), Schedule 5. Paragraph 3 of Schedule 2 was amended by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), section 2(1), Schedule 1, paragraph 85(a); by the 1999 Act, section 13(7), (10), and section 65(1), Schedule 4, paragraphs 74, 83(1), (2).
- (3) S.I. 1998/835.
- (4) S.I. 1998/832.
- (5) Section 5(2) of the 1990 Act was amended by the 1995 Act, section 2(1), Schedule 1, paragraph 69(b).

“operational date” has the meaning assigned to it in paragraph 3(1)(e) of Schedule 2 to the Act;  
“the dissolution date” means 1 October 2002; and  
“the trust” means the County Durham and Darlington Acute Hospitals National Health Service Trust established by article 2 of this Order.

#### **Establishment and name of the trust**

2. There is established a National Health Service trust which shall be called the County Durham and Darlington Acute Hospitals National Health Service Trust.

#### **Nature and functions of the trust**

3.—(1) The trust is established for the purposes specified in section 5(1) of the Act.

(2) The trust’s functions shall be to provide goods and services, namely hospital accommodation and services for the purposes of the health service at or from—

- (a) the University Hospital of North Durham, North Road, Durham DL1 5TW;
- (b) Darlington Memorial Hospital, Hollyhurst Road, Darlington DL3 6HX;
- (c) Bishop Auckland General Hospital, Cockton Hill Road, Bishop Auckland DL14 6AD; and
- (d) at or from any associated hospitals, establishments, and facilities.

#### **Directors of the trust**

4. The trust shall have a chairman, 5 executive directors and 5 non-executive directors.

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

5.—(1) The operational date of the trust shall be 1 October 2002.

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

#### **Dissolution of National Health Service trusts**

6. On the dissolution date—

- (a) the North Durham Health Care National Health Service Trust, which was established by the North Durham Health Care National Health Service Trust (Establishment) Order 1998(6); and
- (b) the South Durham Health Care National Health Service Trust, which was established by the South Durham Health Care National Health Service Trust (Establishment) Order 1998(7);

are dissolved, and their Establishment Orders are accordingly revoked.

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(6) S.I. 1998/835.

(7) S.I. 1998/832.

Signed by authority of the Secretary of State for Health

20th September 2002

*John Hutton*  
Minister of State,  
Department of Health

**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 establishes the County Durham and Darlington Acute Hospitals National Health Service Trust (“the trust”) as a National Health Service Trust under the terms set out in section 5 of the National Health Service and Community Care Act 1990 (article 2).

The Order provides for the functions of the trust (article 3) and the number of executive directors and non-executive directors (article 4). It also specifies the date on which the trust becomes fully operational (1 October 2002), and its accounting date (article 5).

The Order dissolves the North Durham Health Care National Health Service Trust and the South Durham Health Care National Health Service Trust (article 6).

This Order does not impose a charge on businesses.