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STATUTORY INSTRUMENTS

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**2003 No. 759**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Bolton, Salford and Trafford Mental Health National Health Service Trust (Establishment) and the Mental Health Services of Salford National Health Service Trust (Dissolution) Order 2003**

*Made* - - - - *15th March 2003*  
*Coming into force* - - *1st April 2003*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 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 Mental Health Services of Salford Mental Health National Health Service Trust(3) and having completed the consultation prescribed under section 5(2) of, and paragraph 29(3) of Schedule 2 to, the National Health Service and Community Care Act 1990(4), makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Bolton, Salford and Trafford Mental Health National Health Service Trust (Establishment) and the Mental Health Services of Salford National Health Service Trust (Dissolution) Order 2003 and shall come into force on 1st April 2003.

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

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

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- (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”), by paragraph 57 of Schedule 1 to the Health Authorities Act 1995 c. 17 (“the 1995 Act”) and by paragraph 27 of Schedule 2 to the National Health Service (Primary Care) Act 1997 (c. 46).
- (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) and Schedule 5; paragraph 1 of Schedule 2 is cited for the definition of “an order”; paragraph 3 of Schedule 2 was amended by the 1995 Act, section 2(1), Schedule 1, paragraph 85(a); by the 1999 Act, section 13(7), (10), section 65(1), and Schedule 4, paragraphs 74,83(1) and (2).
- (3) S.I. 1993/2590.
- (4) Section 5(2) of the 1990 Act was amended by the 1995 Act, section 2(1), Schedule 1, paragraph 69(b) See S.I. 1996/653 for the prescribed consultation.

“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<sup>(5)</sup>;

“dissolution date” means the date this order comes into force;

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

“the trust” means the Bolton, Salford and Trafford Mental Health National Health Service Trust established by article 2 of this Order.

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

2. There is established a National Health Service trust which shall be called the Bolton, Salford and Trafford Mental Health 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, and community health services, for the purposes of the health service at or from—

(a) the site of the former Prestwich Hospital, Bury New Road, Prestwich, Manchester M25 3BL;

(b) Hope Hospital, Stott Lane, Salford, Manchester M6 8HD;

(c) Royal Bolton Hospital, Minerva Road, Farnworth, Bolton BL4 OJR;

(d) Trafford General Hospital, Moorside Road, Davyhulme, Manchester M41 3BL,

and at or from any associated hospitals, establishments and facilities.

### **Directors of trust**

4.—(1) The trust shall have, in addition to the chairman, 5 executive directors and 6 non-executive directors.

(2) Since the trust is to be regarded as having a significant teaching commitment within the meaning of paragraph 3(1)(d) of Schedule 2 to the Act, one of the non-executive directors shall be appointed from Manchester University.

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

5.—(1) The operational date of the trust shall be 1st April 2003.

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

### **Dissolution of NHS trust**

6. On the dissolution date the Mental Health Services of Salford National Health Service Trust which was established by the Mental Health Services of Salford National Health Service Trust (Establishment) Order 1993<sup>(6)</sup> is dissolved, and accordingly its Establishment Order is revoked.

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(5) 1977 c. 49; section 5(1) was amended by, and section 5(1A) was inserted by the Health and Medicines Act 1988 (c. 49), section 10(1); Schedule 1 was amended by the Education Reform Act 1988 (c. 40), paragraph 21 of Schedule 12, the Health and Medicines Act 1988, Schedule 2, paragraph 7 and the education Act 1996 (c. 56), schedule 37, paragraph 46.

(6) S.I. 1993/2590.

Signed by authority of the Secretary of State for Health

15th March 2003

*Jacqui Smith*  
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 Bolton, Salford and Trafford Mental Health National Health Service Trust as an NHS trust (“the new trust”), under the terms set out in section 5 of the National Health Service and Community Care Act 1990.

This Order also dissolves on 1st April 2003 the Mental Health Services of Salford National Health Service Trust whose functions will be carried out by the new trust.

The Order provides for the functions of the new trust (article 3) and the number of executive and non-executive directors (article 4). It specifies the operational date (the date on which the trust assumes all its functions), and the accounting date of the trust (article 5).

This Order does not impose a charge on businesses.