STATUTORY INSTRUMENTS

2004 No. 1625

NATIONAL HEALTH SERVICE, ENGLAND

The Newham Healthcare National Health Service Trust (Change of Name) (Establishment) Amendment Order 2004

Made - - - -	*24th June 2004*
Coming into force - -	*5th July 2004*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 126(3) and 126(4) of the National Health Service Act 1977(**1**), and by section 5(1) of, and paragraph 3(1)(a) and (b) of Schedule 2 to, the National Health Service and Community Care Act 1990(**2**), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Newham Healthcare National Health Service Trust (Change of Name) (Establishment) Amendment Order 2004 and shall come into force on 5th July 2004.

(2) In this Order—

(a) "the Order" means the Newham Healthcare National Health Service Trust (Establishment) Order 1994(**3**);

(b) "the trust" means the National Health Service trust established by the Order.

Change of name of NHS trust and transitional provision

2.—(1) The trust shall be called the Newham University Hospital National Health Service Trust instead of the Newham Healthcare National Health Service Trust, and accordingly in article 1(2) of the Order in the definition of "the trust", and in article 2 of the Order, for "Newham Healthcare" there shall be substituted "Newham University Hospital".

(**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), paragraph 57 of Schedule 1 to the Health Authorities Act 1995 (c. 17) ("the 1995 Act") and section 41(10) of, and paragraph 27 of Schedule 2 to, the National Health Service (Primary Care) Act 1997 (c. 46). 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 the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the Health Act 1999 (c. 8) ("the 1999 Act").

(**2**) 1990 c. 19; section 5(1) was amended by sections 13(1)(a) and (10) and 65(2) of, and Schedule 5 to, the 1999 Act; paragraph 3 of Schedule 2 was amended by paragraph 85(a) of Schedule 1 to the 1995 Act and by section 13(7) and (10) of, and paragraphs 74 and 83(1) and (2) of Schedule 4 to, the 1999 Act.

(**3**) S.I. 1994/308.

(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 or 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 referring to it under its new name.

Amendment of nature and functions of the trust

3.—(1) In article 3(1) of the Order (nature and functions of the trust) "(a)" shall be deleted.

(2) Article 3(2) of the Order (nature and functions of the trust) shall be replaced by the following—

"(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.".

Signed by authority of the Secretary of State

John Hutton
Minister of State,
24th June 2004
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Newham Healthcare National Health Service Trust (Establishment) Order 1994.

Article 2 of the Order changes the name of the trust from the Newham Healthcare National Health Service Trust to the Newham University Hospital National Health Service Trust, and makes consequential amendments to the Establishment Order. Article 3 of the Order removes the references to the establishments from which the trust carries out its functions.