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STATUTORY INSTRUMENTS

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**2008 No. 1902**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The NHS Foundation Trusts (Trust Funds:  
Appointment of Trustees) Amendment Order 2008**

*Made* - - - - *17th July 2008*  
*Coming into force* - - *1st August 2008*

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 51(1) and (2), 64(5) and (6) and 273(1) of the National Health Service Act 2006<sup>(1)</sup>.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the NHS Foundation Trusts (Trust Funds: Appointment of Trustees) Amendment Order 2008 and comes into force on 1<sup>st</sup> August 2008.

(2) In this Order—

“the NHS Trusts Order” means the National Health Service Trusts (Trust Funds: Appointment of Trustees) Order 2000<sup>(2)</sup>;

“the principal Order” means the NHS Foundation Trusts (Trust Funds: Appointment of Trustees) Order 2007<sup>(3)</sup>.

**Amendment of the Schedule to the principal Order**

2. In the Schedule to the principal Order, after the entry “University Hospital Birmingham NHS Foundation Trust”, add the entry “University Hospitals Bristol NHS Foundation Trust”.

**Amendment of the NHS Trusts Order**

3. The Schedule to the NHS Trusts Order is amended by omitting the following entry—

“The United Bristol Healthcare National Health Service Trust”.

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(1) 2006 c.41.

(2) S.I. 2000/212; relevant amendments made by S.I. 2000/3116 and 2007/1766.

(3) S.I. 2007/1766.

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*Status: This is the original version (as it was originally made).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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### **Transitional**

4.—(1) This paragraph applies to a person who, immediately before this Order comes into force, held office as a trustee for the University Hospitals Bristol NHS Foundation Trust by virtue of an appointment made under the NHS Trusts Order<sup>(4)</sup>.

(2) A person to whom paragraph (1) applies is to continue to hold office as a trustee for that NHS foundation trust, and the principal Order is to apply to that person, as if the person had been appointed as a trustee for that NHS foundation trust under the principal Order for the period specified on the person's appointment.

Signed by authority of the Secretary of State for Health

17th July 2008

*Ben Bradshaw*  
Minister of State  
Department of Health

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(4) The NHS Trusts Order provided for the appointment of trustees for the United Bristol Healthcare National Health Service Trust, which subsequently became authorised as an NHS foundation trust (the University Hospitals Bristol NHS Foundation Trust). Under section 51(4) of the National Health Service Act 2006, the NHS Trusts Order has effect in relation to that trust as an order providing for the appointment of trustees for an NHS foundation trust.

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## EXPLANATORY NOTE

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

This Order adds the University Hospitals Bristol NHS Foundation Trust to the Schedule to the NHS Foundation Trusts (Trust Funds: Appointment of Trustees) Order 2007. This means that the Appointments Commission will appoint trustees for that NHS foundation trust and may remove the trustees from office.

This Order also amends the National Health Service Trusts (Trust Funds: Appointment of Trustees) Order 2000 (“the NHS Trusts Order”), which provides for the appointment of trustees to National Health Service trusts. In particular, this Order removes from the NHS Trusts Order the entry for the National Health Service trust which has been authorised with effect from June 2008 as the University Hospitals Bristol NHS Foundation Trust. This Order also makes transitional provision for trustees appointed under the NHS Trusts Order.