

**EXPLANATORY MEMORANDUM TO
THE HILLINGDON HOSPITAL NATIONAL HEALTH SERVICE TRUST (TRANSFER OF
TRUST PROPERTY) ORDER**

2009 No. 1928

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.
2. **Description**
 - 2.1 The purpose of the Statutory Instrument is to transfer property held on trust (charitable property) from the Hillingdon Hospital National Health Service Trust to Central and North West London National Health Service Foundation Trust.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None
4. **Legislative Background**
 - 4.1 The instrument has been made by the Secretary of State under section 213 of the National Health Service Act 2006. That section allows the Secretary of State for Health to transfer trust property from one NHS body to another NHS body in the circumstances laid down in that section.
5. **Extent**
 - 5.1 This instrument applies to England.
6. **European Convention on Human Rights**
 - 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.
7. **Policy background**
 - 7.1 Due to the reorganisation of mental health services locally it is considered more appropriate after consultation with both the transferor NHS Trust and the receiving NHS Foundation Trust, for Central and North West London National Health Service Foundation Trust to hold and administer some of the trust property currently held by Hillingdon Hospital National Health Service Trust. The bodies agree that it is now more appropriate that the relevant transferred charitable funds are managed by the body that also manages the services the funds have been donated to benefit. The nature and purpose of the funds transferred will not be affected.

8. Consultation outcome

- 8.1 No formal public consultation exercise was carried out as it is not required under legislation. However, the views of the Chair of both NHS bodies (as Chair and representatives of the charitable funds trustees) have been sought. Both parties agree to the transfer.

9. Guidance

- 9.1 None

10. Impact

- 10.1 An Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

11. Regulating small business

- 11.1 The legislation does not apply to small business

12. Monitoring & review

- 12.1 None

13. Contact

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Chris.Steele@dh.gsi.gov.uk, can answer any queries regarding the instrument.