

1999 No. 848

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

**The Epsom and St. Helier National Health Service Trust
(Establishment) Order 1999**

Made - - - - - *16th March 1999*

Coming into force *1st April 1999*

The Secretary of State for Health, in exercise of the powers conferred on him by section 5(1) of, and paragraphs 1, 3 and 6(2)(d) of Schedule 2 to, the National Health Service and Community Care Act 1990(a) and of all other powers enabling him in that behalf, having completed the consultation prescribed by section 5(2) of that Act(b), and considering it appropriate to include, among the functions of the NHS trust established by this Order, certain functions in relation to the provision of services by the trust for Health Authorities or Special Health Authorities(c), hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Epsom and St. Helier National Health Service Trust (Establishment) Order 1999 and shall come into force on 1st April 1999.

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

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

“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(d);

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

“the trust” means the Epsom and St. Helier National Health Service Trust established by article 2 of this Order.

Establishment and name of the trust

2. There is hereby established an NHS trust which shall be called the Epsom and St. Helier National Health Service Trust.

Nature and functions of the trust

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

(2) The trust’s functions shall be to own and manage Epsom General Hospital, Dorking Road, Epsom, Surrey KT18 7EG, St. Helier Hospital, Wrythe Lane, Carshalton, Surrey

(a) 1990 c. 19; paragraph 1 of Schedule 2 is cited for the definition of “an order”.

(b) Section 5 was amended by paragraph 69 of Schedule 1 to the Health Authorities Act 1995 (c. 17); see S.I. 1996/653.

(c) See section 5(6) of the National Health Service and Community Care Act 1990 (c. 19).

(d) 1977 c. 49; section 5 was amended by and section 5(1A) inserted by the Health and Medicines Act 1988 (c. 49), section 10(1); Schedule 1 was amended by the Education Act 1980 (c. 20), Schedule 1, and the Health and Medicines Act 1988 (c. 49), Schedule 2, paragraph 7.

SM5 1AA (including the management of its teaching and research facilities), and associated establishments and facilities, and there to provide and manage hospital accommodation and services, and there and from there to provide and manage community health services.

Directors of the trust

4. The trust shall have, in addition to the chairman, 5 non-executive directors and 5 executive directors.

Significant teaching commitment

5.—(1) The trust is to be regarded as having a significant teaching commitment by virtue of paragraph 3(2)(a) of Schedule 2 to the Act.

(2) One of the non-executive directors of the trust shall be appointed from the University of London.

Operational date and accounting date of the trust

6.—(1) The operational date of the trust shall be 1st April 1999.

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

Restriction on disposal of assets

7. The sum specified for the purposes of paragraph 6(2)(d) of Schedule 2 to the Act (maximum value of freely disposable assets) in relation to the trust shall be £1,000,000.

Signed by authority of the Secretary of State for Health

16th March 1999

Hayman
Parliamentary Under Secretary of State,
Department of Health

(a) S.I. 1999/849.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the Epsom and St. Helier National Health Service Trust, an NHS trust provided for in section 5 of the National Health Service and Community Care Act 1990. It also provides for the functions of the trust (article 3) and the number of executive and non-executive directors (article 4) and that one of the non-executive directors shall be appointed from the University of London (article 5). It specifies the operational date (the date on which the trust assumes all its functions) and the accounting date of the trust (article 6). Finally, it specifies the value of assets in excess of which the Secretary of State is to consider the disposal of the assets (article 7).

This Order should be read in conjunction with the Epsom Health Care and the St. Helier National Health Service Trusts (Dissolution) Order 1999(a).

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