

**2003 No. 844**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Black Country Mental Health National Health Service Trust (Change of Name) and (Establishment) Amendment Order 2003**

*Made* - - - - - *20th 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(a), section 5(1) of, and paragraphs 1 and 3 of Schedule 2 to, the National Health Service and Community Care Act 1990(b) and by section 45(5) of the Health and Social Care Act 2001(c), 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 Black Country Mental Health National Health Service Trust (Change of Name) and (Establishment) Amendment Order 2003 and shall come into force on 1st April 2003.

(2) In this Order—

“the Establishment Order” means the Black Country Mental Health National Health Service Trust (Establishment) Order 1994(d); and

“the trust” means the National Health Service Trust established by the Establishment Order.

**Change of name of the Trust**

2. The trust shall be called the Sandwell Mental Health National Health Service and Social Care Trust instead of the Black Country Mental Health National Health Service Trust, and accordingly—

(a) in article 1(2) of the Establishment Order, in the definition of “the trust”; and

(b) in article 2 of the Establishment Order,

the words “Black Country Mental Health National Health Service Trust” shall be replaced by “Sandwell Mental Health National Health Service and Social Care Trust”.

3. The change of name effected by article 2 of this Order shall not—

(a) affect any right or obligation of any person; or

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(a) 1977 c. 49 (“the 1977 Act”). Section 126(3) was amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), s65(2), by paragraph 57 of Schedule 1 to the Health Authorities Act 1995 (c. 17) (“the 1995 Act”) and by the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 27.

(b) 1990 c. 19. Section 5(1) was amended by the Health Act 1999 (c. 8) (“the 1999 Act”), section 13(1)(a) and (10), and by section 65(2) and Schedule 5. Paragraph 3 to Schedule 2 was amended by the 1995 Act, Schedule 2, paragraph 85(a); by the 1999 Act, section 13(7), (10), and by Schedule 4, paragraphs 74, 83(1), (2).

(c) 2001 c. 15.

(d) S.I. 1994/3177, as amended by S.I. 1998/1187.

(b) be taken as invalidating any instrument (whether made before, 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.

#### **Designation as a Care Trust**

4. In Article 2 of the Establishment Order there shall be added the following new paragraph—

“(2) The trust is designated as a Care Trust.”.

Signed by authority of the Secretary of State for Health

20th March 2003

*Jacqui Smith*  
Minister of State,  
Department of Health

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#### **EXPLANATORY NOTE**

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

This Order amends the Black Country Mental Health National Health Service Trust (Establishment) Order 1994, which established the Black Country Mental Health National Health Service Trust.

Article 2 of the Order changes the name of the trust from the Black Country National Health Service Trust to Sandwell Mental Health National Health Service and Social Care Trust, and Article 3 makes consequential amendments to the Establishment Order.

Article 4 designates the trust as a Care Trust, as provided for in section 45 of the Health and Social Care Act 2001.

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