
STATUTORY INSTRUMENTS

2004 No. 696

The Health and Social Care (Community Health and Standards) Act 2003 (Supplementary and Consequential Provision) (NHS Foundation Trusts) Order 2004

Supplementary and Consequential amendments

3.—(1) The enactments specified in Schedule 1 are amended as there specified.

(2) In the enactments specified in column 1 of Schedule 2, in the provisions specified in column 2, after “National Health Service Trust”, or as the case may be “National Health Service trust”, “NHS Trust” or “NHS trust”, in each place where it occurs unless otherwise specified in Schedule 2, there is inserted “or NHS foundation trust”.

(3) In the enactments specified in column 1 of Schedule 3, in the provisions specified in column 2, after “National Health Service Trust” or as the case may be “National Health Service trust”, or “NHS trust”, in each place where it occurs unless otherwise specified in column 2, there is inserted “, NHS foundation trust”.

(4) In the enactments specified in column 1 of Schedule 4, in the provisions specified in column 2, after “National Health Service Trust” or as the case may be “National Health Service trust” or “NHS Trust”, in each place where it occurs unless otherwise specified in column 2, there is inserted “, an NHS foundation trust”.

(5) In the enactments specified in column 1 of Schedule 5, in the provisions specified in column 2, for “or NHS trust” in each place where it occurs there is substituted “, NHS trust or NHS foundation trust”.

(6) In the enactments specified in column 1 of Schedule 6, in the provisions specified in column 2, in each place where it occurs for “or an NHS trust” there is substituted “, an NHS trust or an NHS foundation trust”.

(7) In the enactments specified in column 1 of Schedule 7, in the provisions specified in column 2, after the entry relating to a “National Health Service Trust” or as the case may be “national health service trust” there is inserted—

““NHS foundation trust” has the same meaning as in section 1(1) of the Health and Social Care (Community Health and Standards) Act 2003;”.

(8) In the enactments specified in column 1 of Schedule 8, in the provisions specified in column 2, there is inserted in the appropriate alphabetical position—

““NHS foundation trust” has the same meaning as in section 1(1) of the Health and Social Care (Community Health and Standards) Act 2003;”.

(9) In the enactments specified in column 1 of Schedule 9, in the provisions specified in column 2, after “1978” there is added—

““or an NHS foundation trust” within the meaning of section 1(1) of the Health and Social Care (Community Health and Standards) Act 2003.”

(10) In the enactments specified in column 1 of Schedule 10, in the provisions specified in column 2, for the definition of “health service body” there is substituted—

““health service body” means—

- (a) a body listed in section 4 of the National Health Service and Community Care Act 1990;
- (b) an NHS foundation trust;
- (c) the Independent Regulator of NHS Foundation Trusts;”.

(11) In the enactments specified in column 1 of Schedule 11, in the provisions specified in column 2, for the definition of “health service body” there is substituted—

““health service body” means—

- (a) a body listed in section 4 of the National Health Service and Community Care Act 1990;
- (b) an NHS foundation trust;”.

(12) In the enactments specified in column 1 of Schedule 12, in the provisions specified in column 2, after “director” there is inserted “or governor,”.

(13) In the enactments specified in column 1 of Schedule 13, in the provisions specified in column 2, for “a health service body” there is substituted “or, in the case of an NHS foundation trust the chairman, a governor or a non-executive director of, the health service body in question”.

(14) In the enactments specified in column 1 of Schedule 14, in the provisions specified in column 2, for “a health service body” there is substituted, “or, in the case of an NHS foundation trust his chairmanship, governorship, or non-executive directorship of, the health service body in question”.

(15) In the enactments specified in column 1 of Schedule 15, in the provisions specified in column 2, after “directors of,” there is inserted, “or in the case of an NHS foundation trust, the chairman, a governor or a non-executive director of” .

(16) In the enactments specified in column 1 of Schedule 16, in the provisions specified in column 2, there is inserted in the appropriate alphabetical position—

““Independent Regulator of NHS Foundation Trusts” means the body corporate established by section 2 of the Health and Social Care (Community Health and Standards) Act 2003;”.

(17) In the enactments specified in column 1 of Schedule 17, in the provisions specified in column 2, there is inserted—

“(5) In these Regulations, a reference to “NHS trust” shall be construed to include a reference to an NHS foundation trust within the meaning of section 1(1) of the Health and Social Care (Community Health and Standards) Act 2003 where the application for authorisation to become an NHS foundation trust was made by an NHS trust.”.