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STATUTORY INSTRUMENTS

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**2007 No. 2755**

**NATIONAL HEALTH SERVICE, ENGLAND**

The Imperial College Healthcare National Health Service Trust (Establishment) and the Hammersmith Hospitals National Health Service Trust and the St Mary's National Health Service Trust (Dissolution) Order 2007

*Made* - - - - *18th September 2007*

*Coming into force* - - *1st October 2007*

The Secretary of State for Health makes the following Order in exercise of the powers conferred on him by sections 25(1) and 273(1) of, and paragraphs 5 and 28(1) of Schedule 4 to, the National Health Service Act 2006(1).

The Secretary of State for Health makes this Order on the application of the Hammersmith Hospitals National Health Service Trust and the St Mary's National Health Service Trust, following the completion of the consultation prescribed under section 25(3) of, and paragraph 28(3) of Schedule 4 to, the National Health Service Act 2006(2).

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Imperial College Healthcare National Health Service Trust (Establishment) and the Hammersmith Hospitals National Health Service Trust and the St Mary's National Health Service Trust (Dissolution) Order 2007 and shall come into force on 1<sup>st</sup> October 2007.

(2) In this Order—

“the Act” means the National Health Service Act 2006;

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(1) 2006 c. 41.

(2) See the National Health Service Trusts (Consultation on Establishment and Dissolution) Regulations 1996 (S.I. 1996/653, as amended by S.I. 2001/3788), which were made under section 5(2) of, and paragraph 29(3) of Schedule 2 to, the National Health Service and Community Care Act 1990 (c. 19) (“1990 Act”). Those provisions of the 1990 Act were re-enacted by section 25(3) of, and paragraph 28(3) of Schedule 4 to, the National Health Service Act 2006 (“2006 Act”) and repealed by section 6 of, Schedule 4 to, the National Health Service (Consequential Provisions) Act 2006 (c. 43). Section 4 of, and paragraph 1(2) of Schedule 2 to, that Act provide that subordinate legislation made under any repealed and re-enacted provision of the 1990 Act has effect as if made under the corresponding provision of the 2006 Act.

“community health services” means any services which the Secretary of State may provide under section 3(1)(d) or (e) of, or paragraph 2 or 3 of Schedule 1 to, the Act and any service which he has a duty to provide under paragraph 1 or 8 of that Schedule;

“dissolution date” means the 1st October 2007;

“operational date” has the meaning assigned to it in paragraph 5(5) of Schedule 4 to the Act; and

“the trust” means the Imperial College Healthcare National Health Service Trust established by article 2.

### **Establishment and name of the trust**

2. There is established a National Health Service trust which shall be called the Imperial College Healthcare National Health Service Trust.

### **Nature and functions of the trust**

3.—(1) The trust is established for the purposes specified in section 25(1) of the Act.

(2) The trust’s functions shall be to provide goods and services, namely hospital accommodation and services, and community health services, for the purposes of the health service.

### **Directors of the trust**

4.—(1) The trust shall have, in addition to the chairman, 5 executive directors and 7 non-executive directors.

(2) Since the trust is to be regarded as having a significant teaching commitment within the meaning of paragraph 5(3) of Schedule 4 to the Act, one of the non-executive directors shall be appointed from the Imperial College of Science, Technology and Medicine.

### **Operational date and accounting date of the trust**

5.—(1) The operational date of the trust shall be 1<sup>st</sup> October 2007.

(2) The accounting date of the trust shall be 31<sup>st</sup> March.

### **Dissolution of NHS trusts and revocation of orders**

6. On the dissolution date—

(a) the Hammersmith Hospitals National Health Service Trust, which was established by the Hammersmith Hospitals National Health Service Trust (Establishment) Order 1994(3); and

(b) the St Mary’s National Health Service Trust, which was established by the St Mary’s National Health Service Trust (Establishment) Order 1991(4),

are dissolved, and accordingly those Orders, and the Hammersmith Hospitals National Health Service Trust (Establishment) Amendment Order 2005(5), are revoked.

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(3) S.I. 1994/853.

(4) S.I. 1991/2395, as amended by S.I. 2005/179.

(5) S.I. 2005/179.

Signed by authority of the Secretary of State for Health

18th September 2007

*Ann Keen*  
Parliamentary Under Secretary of State  
Department of Health

**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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## EXPLANATORY NOTE

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

This Order establishes the Imperial College Healthcare National Health Service Trust as a National Health Service trust. The Order sets out the functions of the trust (article 3), the number of executive and non-executive directors of the trust (article 4), the operational date (the date on which the trust begins to undertake all of the functions conferred on it) and the accounting date of the trust (article 5). The Order also dissolves the Hammersmith Hospitals National Health Service Trust and the St Mary's National Health Service Trust and revokes their Establishment Orders.