

EXPLANATORY MEMORANDUM TO

THE NORTH BRISTOL NATIONAL HEALTH SERVICE TRUST (TRANSFER OF TRUST PROPERTY) ORDER 2008

2008 No. 440

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. **Description**

The purpose of the Statutory Instrument is to transfer property held on trust (charitable property) from the North Bristol National Health Service Trust to the trustees for the United Bristol Healthcare National Health Service Trust (known as 'Above and Beyond Charities').

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None

4. **Legislative Background**

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 to transfer trust property from one health service body to another health service body in the circumstances of change laid down in that section.

5. **Extent**

This instrument applies to England.

6. **European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

Due to the reorganisation of services locally, it is considered more appropriate after consultation with both the transferor National Health Service Trust and the receiving trustees for the United Bristol Healthcare National Health Service Trust, for the trustees for the United Bristol Healthcare National Health Service Trust to hold and administer some of the trust property currently held by North Bristol National Health Service Trust. It is considered that the transfer will improve the efficiency of the management and administration of the charitable property.

8. **Impact**

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

9. **Contact**

Chris Steele at the Department of Health, Tel 0113 254 5939 or e-mail Chris.Steele@dh.gsi.gov.uk, can answer any queries regarding the instrument.