

2023 No. 855

NATIONAL HEALTH SERVICE, ENGLAND

**The University Hospitals of Leicester National Health Service
Trust (Establishment) (Amendment) Order 2023**

Made - - - - *19th July 2023*

Coming into force *29th July 2023*

The Secretary of State for Health and Social Care makes the following Order in exercise of the powers conferred by sections 25(1), 272(7) and (8) and 273(1) of the National Health Service Act 2006(a).

In accordance with section 25(3) of that Act, the Secretary of State has completed the consultation prescribed by regulations(b) made under that section.

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the University Hospitals of Leicester National Health Service Trust (Establishment) (Amendment) Order 2023 and comes into force on 29th July 2023.

(2) In this Order, “the Establishment Order” means the University Hospitals of Leicester National Health Service Trust (Establishment) Order 1999(c).

(3) This Order extends to England and Wales.

Change to the interpretation provisions

2. For article 1(2) of the Establishment Order (citation and commencement), substitute—

“(2) In this Order, “the trust” means the University Hospitals of Leicester National Health Service Trust established by article 2 of this Order.”.

Change to nature and functions of the trust

3. For article 3 of the Establishment Order (nature and functions of the trust) (including the heading), substitute—

“Functions of the trust

3. The trust’s functions are to provide goods and services for the purposes of the health service.”.

(a) 2006 c. 41.

(b) S.I. 2010/743, to which there are amendments not relevant to this Order. The prescribed consultation under regulation 2(2) of S.I. 2010/743 is, before making an order under section 25(1) of the National Health Service Act 2006 in relation to an NHS trust, consultation by the Secretary of State with that NHS trust.

(c) S.I. 1999/2921, as amended by S.I. 2003/2150, 2013/593 and 2022/634.

Amendment to article 5 of the Establishment Order

4. For article 5(1) of the Establishment Order (significant teaching commitment), substitute—
“(1) The trust is to be regarded as having a significant teaching commitment by virtue of paragraph 5(1)(d) of Schedule 4 to the National Health Service Act 2006.”.

Removal of specification of “operational date”

5. For article 6 of the Establishment Order (operational date and accounting date of the trust) (including the heading), substitute—

“Accounting date of the trust

6. The accounting date of the trust is 31st March.”.

Revocation of provisions

6. Article 7 (limited functions before operational date) and article 8 (assistance by Health Authorities before operational date) of the Establishment Order are revoked.

Signed by authority of the Secretary of State for Health and Social Care

19th July 2023

Will Quince
Minister of State,
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the University Hospitals of Leicester National Health Service Trust (Establishment) Order 1999 (“the Establishment Order”), which established the University Hospitals of Leicester National Health Service Trust (“the trust”).

Article 2 amends article 1 of the Establishment Order to remove definitions which are no longer needed in consequence of the amendments made by this Order.

Article 3 sets out the functions of the trust as being to provide goods and services for the purposes of the health service.

Article 4 updates a legislative reference (but otherwise maintains the requirement that one of the trust’s non-executive directors is appointed from the University of Leicester).

Article 5 omits the specification of the trust’s “operational date” as it is of no on-going relevance.

Article 6 revokes articles 7 and 8 of the Establishment Order as they are of no on-going relevance.

A full impact assessment has not been produced for this instrument as it has no effect on private sector or civil society organisations, and no significant effect on the public sector.

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