
STATUTORY INSTRUMENTS

1998 No. 2993

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The Frenchay Healthcare National Health Service
Trust (Establishment) Amendment Order 1998**

Made - - - - *2nd December 1998*

Coming into force - - *14th December 1998*

The Secretary of State for Health, in exercise of the powers conferred on him by section 126(3) of the National Health Service Act 1977(1) and section 5(1) of the National Health Service and Community Care Act 1990(2) and of all other powers enabling him in that behalf, having completed the consultation prescribed under section 5(2) of that latter Act(3) and considering it appropriate that the functions of the trust should include functions in relation to the provision of services for one or more Health Authorities(4), hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Frenchay Healthcare National Health Service Trust (Establishment) Amendment Order 1998 and shall come into force on 14th December 1998.

Amendment of Establishment Order

2. In the Frenchay Healthcare National Health Service Trust (Establishment) Order 1991(5):—
(a) for Article 3 there shall be substituted the following Article:—

“Nature and functions of the trust

3.—(1) The trust is established for the purposes specified in section 5(1) of the Act.

(2) The trust’s functions shall be:—

(1) 1977 c. 49; section 126(3) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19), by paragraph 57 of Schedule 1 to the Health Authorities Act 1995 (c. 17) (“the 1995 Act”) and by section 41(10) and paragraph 27 of Schedule 2 to the National Health Service (Primary Care) Act 1997 (c. 46).
(2) 1990 c. 19; section 5 was amended by paragraph 65 of Schedule 1 to the 1995 Act.
(3) See S.I. 1996/653, regulation 2(2).
(4) See section 5(6) of the 1990 Act.
(5) S.I. 1991/2349.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) to own and manage pursuant to section 5(1)(a) of the Act hospital accommodation and services provided at the premises specified in Part I of the Schedule to this Order;
 - (b) to provide and manage pursuant to section 5(1)(b) of the Act hospital accommodation and services at any or all of the premises specified in Part II of the Schedule to this Order and at any other premises which are for the time being associated with any of those premises;
 - (c) to manage pursuant to section 5(1)(a) of the Act community health services provided from the premises specified in Part III of the Schedule to this Order and to own the associated premises; and
 - (d) to manage pursuant to section 5(1)(b) of the Act community health services provided from the premises specified in Part IV of the Schedule to this Order and to provide the associated premises.”; and
- (b) at the end of that Order there shall be added the Schedule set out in the Schedule to this Order.

Signed by authority of the Secretary of State for Health

2nd December 1998

Alan Milburn
Minister of State,
Department of Health

SCHEDULE

Article 2(b)

**SCHEDULE TO BE ADDED TO THE FRENCHAY HEALTHCARE
NATIONAL HEALTH SERVICE TRUST (ESTABLISHMENT) ORDER 1991**

“SCHEDULE

Article 3

Part I

*Premises which the trust is to own and manage
for the purposes of section 5(1)(a) of the Act*

Blackberry Hill Hospital, Manor Road, Fishponds, Bristol, BS16 2EW;
Burden Neurological Hospital and Institute, Stoke Lane, Stapleton, Bristol, BS16 1QT;
Glenside Hospital, Blackberry Hill, Stapleton, Bristol, BS16 1DD;
and associated premises.

Part II

*Premises which the trust is to provide and manage, including teaching
and research facilities, for the purposes of section 5(1)(b) of the Act*

Frenchay Hospital, Frenchay Park Road, Bristol, BS16 1LE;
Cossham Memorial Hospital, Lodge Road, Kingswood, Bristol, BS15 1LF.

Part III

*Premises owned by the trust from which are to be provided community health
services which the trust is to manage for the purposes of section 5(1)(a) of the Act*

Frenchay Hospital, Frenchay Park Road, Bristol, BS16 1LE and associated premises.

Part IV

*Premises from which the trust is to provide and manage community
health services for the purposes of section 5(1)(b) of the Act*

None.”

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Order (“the Establishment Order”) which established the Frenchay Healthcare National Health Service Trust to alter the purpose for which the trust has been established, and to amend its functions.

The Establishment Order is amended to confer on the trust the purpose specified in section 5(1)(b) of the National Health Service and Community Care Act 1990 and, in pursuance of that purpose extends the functions of the trust to include the function of providing and managing hospital accommodation and services, and of managing community health services, from certain premises, principally those as specified in the Schedule to be added to the Establishment Order (article 2(3)).