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STATUTORY INSTRUMENTS

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**2001 No. 1198**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The West Hampshire National Health  
Service Trust (Establishment) Order 2001**

*Made* - - - - 22nd March 2001

*Coming into force* - - 1st April 2001

The Secretary of State for Health, in exercise of the powers conferred on him by section 5(1) of, and paragraphs 1, 3, 4 and 5 of Schedule 2 to, the National Health Service and Community Care Act 1990(1) and of all other powers enabling him in that behalf, having completed the consultation prescribed by section 5(2) of that Act(2), hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the West Hampshire National Health Service Trust (Establishment) Order 2001 and shall come into force on 1st April 2001.

(2) In this Order, unless the context otherwise requires—

“the Act” means the National Health Service and Community Care Act 1990;

“community health services” means any services which the Secretary of State may provide under section 3(1)(d) or (e) of, or Schedule 1 to, the National Health Service Act 1977 and any service which he has a duty to provide under section 5(1) or (A1) of that Act(3);

“establishment date” means 1st April 2001;

“operational date” has the meaning assigned to it in paragraph 3(1)(e) of Schedule 2 to the Act;

“the trust” means the West Hampshire National Health Service Trust established by article 2 of this Order.

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(1) 1990 c. 19 (“the 1990 Act”); section 5 was amended by paragraph 69(d) of Schedule 1 to the Health Authorisations Act 1995 (c. 17) and by section 13 of the Health Act 1999 (c. 8) (“the 1999 Act”); paragraph 1 of Schedule 2 to the 1990 Act is cited for the definition of “an order”; paragraph 3 of Schedule 2 to the 1990 Act was amended by section 13(7) of the 1999 Act.

(2) See S.I. 1996/653.

(3) Section 5 was amended by section 5(1A) inserted by section 10(1) of the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”); Schedule 1 was amended by Schedule 1 to the Education Act 1980 (c. 20) and by paragraph 7 of Schedule 2 to the 1988 Act.

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

2. There is hereby established an NHS trust which shall be called the West Hampshire National Health Service Trust

### **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 to provide goods and services, namely hospital accommodation and services, and community health services, for the purposes of the health service at or from:

- (i) Leigh House Hospital, Winchester;
  - (ii) Melbury Lodge, Winchester;
  - (iii) Moorgreen Hospital, Botley Road, Southampton;
  - (iv) Old Manor Hospital, Salisbury;
  - (v) Ravenswood House, Fareham;
  - (vi) Royal South Hampshire Hospital;
  - (vii) Southampton Western Community Hospital, Southampton;
  - (viii) Tatchbury Mount, Calmore, Southampton SO4 2RZ,
- and at or from associated hospitals, establishments or facilities.

(3) The trust is to be regarded as having a significant teaching commitment within the meaning of paragraph 3(1)(d) of Schedule 2 to the Act.

### **Directors of the trust**

4.—(1) The trust shall have, in addition to the chairman, 5 executive directors and 6 non-executive directors.

(2) One of the non-executive directors of the trust shall be appointed from the University of Southampton.

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

5.—(1) The operational date of the trust shall be 1st April 2001.

(2) The accounting date of the trust shall be 31st March.

Signed by authority of the Secretary of State for Health

22nd March 2001

*Gisela Stuart*  
Parliamentary Under Secretary of State,  
Department of Health

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## EXPLANATORY NOTE

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

This Order establishes the West Hampshire National Health Service Trust, an NHS trust provided for in section 5 of the National Health Service and Community Care Act 1990.

The Order provides for the functions of the trust and provides for recognition of the trust as having a significant teaching commitment (article 3). It specifies the number of executive and non-executive directors, and provides for one of its non-executive directors to be appointed from the University of Southampton (article 4). It specifies the operational date (the date on which the trust assumes all its functions) and the accounting date of the trust (article 5).

This Order should be read in conjunction with the Southampton Community Health Services National Health Service Trust (Establishment) (Amendment Order 2001 and the Winchester and Eastleigh Healthcare National Health Service Trust (Establishment) Amendment Order 2001.