

1999 No. 633

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

**The Cornwall Healthcare National Health Service Trust
(Establishment) Amendment Order 1999**

Made - - - - - *8th March 1999*

Coming into force *22nd March 1999*

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(a) and section 5(1) of the National Health Service and Community Care Act 1990(b) and of all other powers enabling him in that behalf, after completion of the consultation prescribed under section 5(2) of the latter Act(c), 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(d), hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Cornwall Healthcare National Health Service Trust (Establishment) Amendment Order 1999 and shall come into force on 22nd March 1999.

(2) In this Order—

“the Order” means The Cornwall Healthcare National Health Service Trust (Establishment) Order 1993(e);

“the trust” means the National Health Service trust established by the Order.

Change of functions of NHS trust

4. For article 3 of the Order, 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)(b) of the Act.

(2) The trust’s functions shall be to provide and manage Penrice Hospital, Porthpean Road, St. Austell, Cornwall, PL26 6AD and associated hospitals and premises, and there to provide and manage hospital accommodation and services, and there and from there to provide and manage community health services.”.

Signed by authority of the Secretary of State for Health.

8th March 1999

John Denham
Minister of State,
Department of Health

(a) 1977 c. 49; section 126(3) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”) and 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).
(b) 1990 c. 19; section 5 was amended by paragraph 69 of Schedule 1 to the 1995 Act.
(c) See S.I. 1996/653, regulation 2(2).
(d) See section 5(6) of the 1990 Act.
(e) S.I. 1993/813.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Order (“the Establishment Order”) which established the Cornwall Healthcare National Health Service Trust (“the trust”).

The Establishment Order is amended to confer on the trust the purposes specified in section 5(1)(b) of the National Health Service and Community Care Act 1990 so that it is not limited to ownership of hospitals previously provided or managed by one or more Health Authorities but has the function of providing and managing Penrice Hospital, Porthpean Road, St. Austell, Cornwall, PL26 6AD and associated hospitals and premises. The associated hospitals and premises include hospitals and premises transferred to the trust in connection with the dissolution of the Trecare National Health Service Trust^(a).

^(a) See S.I. 1999/634.

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