

**2003 No. 1276**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The York Health Services National Health Service  
Trust (Change of Name) and (Establishment) Amendment  
Order 2003**

*Made* - - - - - *7th May 2003*

*Coming into force* - - - - - *5th June 2003*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 126(3) of the National Health Service Act 1977(a), and by section 5(1) of, and paragraphs 1 and 3 of Schedule 2 to, the National Health Service and Community Care Act 1990(b), and of all other powers enabling him in that behalf hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the York Health Services National Health Service Trust (Change of Name) and (Establishment) Amendment Order 2003 and shall come into force on 5 June 2003.

(2) In this Order—

“the Establishment Order” means the York Health Services National Health Service Trust (Establishment) Order 1991(c); and

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

**Change of name of the trust**

2. The trust shall be called the York Hospitals National Health Service Trust instead of the York Health Services National Health Service Trust, and accordingly—

(a) in article 1(2) of the Establishment Order (citation, commencement and interpretation), in the definition of “the trust”; and

(b) in article 2 of the Establishment Order (establishment of the trust),

the words “York Health Services” shall be replaced by “York Hospitals”.

3. The change of name effected by article 2 of this Order shall not—

(a) affect any right or obligation of any person; or

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(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”), paragraph 57 of Schedule 1 to the Health Authorities Act 1995 (c. 17) (“the 1995 Act”) and section 41(10) of, and paragraph 27 of Schedule 2 to, the National Health Service (Primary Care) Act 1997 (c. 46) (“the 1997 Act”). The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the Health Act 1999 (c. 8) (“the 1999 Act”).

(b) 1990 (c. 19); section 5(1) was amended by sections 13(1)(a), (10) and 65(2) of, and Schedule 5 to, the 1999 Act; paragraph 3 to Schedule 2 was amended by paragraph 85(a) of Schedule 1 to the 1995 Act and by section 13(7) and (10) of, and paragraphs 74, 83(1) and (2) of Schedule 4 to, the 1999 Act.

(c) S.I. 1991/2418 as amended by S.I. 1994/55.

(b) be taken as invalidating any instrument (whether made before, on, or after the day on which this Order comes into force) which refers to the trust by its previous name, and all instruments and other documents which refer to the trust under its previous name shall be construed as referring to it under its new name.

**Nature and functions of the trust**

4. In article 3(2) of the Establishment Order (nature and functions of the trust), subparagraph (b) shall be deleted.

Signed by authority of the Secretary of State

7th May 2003

*Jacqui Smith*  
Minister of State,  
Department of Health

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**EXPLANATORY NOTE**

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

This Order amends the York Health Services National Health Service Trust (Establishment) Order 1991, which established the York Health Services National Health Service Trust.

Article 2 of the Order changes the name of the trust from the York Health Services National Health Service Trust to the York Hospitals National Health Service Trust, and makes consequential amendments to the Establishment Order.

The Order also amends the functions of the trust by removing as a function of the trust the management of community health services.

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