

**2004 No. 75**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Portsmouth Hospitals National Health Service Trust  
(Establishment) Amendment Order 2004**

*Made* - - - - - *13th January 2004*

*Coming into force* - - - - - *3rd February 2004*

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 paragraph 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 Portsmouth Hospitals National Health Service Trust (Establishment) Amendment Order 2004 and shall come into force on 3rd February 2004.

(2) In this Order—

“the Establishment Order” means the Portsmouth Hospitals National Health Service Trust (Establishment) Order 1992(c); and

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

**Amendment of nature and functions of the trust**

2. Article 3 of the Establishment Order (nature and functions of the trust) shall be replaced by the following—

“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 Queen Alexandra Hospital, Southwick Hill Road, Cosham, Portsmouth, Hampshire PO6 3LY and at or from any associated hospitals, establishments and facilities.”

---

(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), 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 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. 1992/2506.

Signed by authority of the Secretary of State for Health

13th January 2004

*John Hutton*  
Minister of State  
Department of Health

---

**EXPLANATORY NOTE**

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

This Order amends the Portsmouth Hospitals National Health Service Trust (Establishment) Order 1992, which established the Portsmouth Hospitals National Health Service Trust.

Article 2 of the Order changes the hospital from which the trust carries out the majority of its functions and removes an outdated reference to section 5(1)(a) of the National Health Service and Community Care Act 1990.

£1.50

© Crown copyright 2004

Printed and published in the UK by The Stationery Office Limited  
under the authority and superintendence of Carol Tullo, Controller of  
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.  
E1767 1/2004 131767 19585

ISBN 0-11-048442-8



9 780110 484426