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STATUTORY INSTRUMENTS

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**2004 No. 766**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The West Hampshire National Health Service Trust (Change of Name and Establishment) Amendment Order 2004**

*Made* - - - - *10th March 2004*  
*Coming into force* - - *20th March 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(1) and by section 5(1) of, and paragraph 3 of Schedule 2 to, the National Health Service and Community Care Act 1990(2), 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 West Hampshire National Health Service Trust (Change of Name and Establishment) Amendment Order 2004 and shall come into force on 20th March 2004.

(2) In this Order—

“the Establishment Order” means the West Hampshire National Health Service Trust (Establishment) Order 2001(3); 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 Hampshire Partnership National Health Service Trust instead of the West Hampshire 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

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- (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), 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”).
- (2) 1990 c. 19; section 5(1) was amended by sections 13(1)(a) and (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 and 83(1) and (2) of Schedule 4 to, the 1999 Act.
- (3) S.I. 2001/1198.

- (b) in article 2 of the Establishment Order (establishment and name of the trust),  
“West Hampshire” shall be replaced by “Hampshire Partnership”.

**Effect on previous instruments**

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

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

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

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

- “(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.”.

Signed by authority of the Secretary of State for Health

10th March 2004

*Rosie Winterton*  
Minister of State,  
Department of Health

## **EXPLANATORY NOTE**

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

This Order amends the West Hampshire National Health Service Trust (Establishment) Order 2001 (“the Establishment Order”), which established the West Hampshire National Health Service Trust.

Article 2 of the Order changes the name of the trust from the West Hampshire National Health Service Trust to the Hampshire Partnership National Health Service Trust, and makes consequential amendments to the Establishment Order. Article 4 of the Order removes the references to the establishments from which the trust carries out its functions.