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STATUTORY INSTRUMENTS

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**2006 No. 2524**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Coventry and Warwickshire Partnership National Health Service Trust (Establishment) Order 2006**

*Made* - - - - *14th September 2006*

*Coming into force* - - *1st October 2006*

The Secretary of State for Health makes the following Order in exercise of the powers conferred upon her by section 5(1) of, and paragraph 3 of Schedule 2 to, the National Health Service and Community Care Act 1990<sup>(1)</sup> The requirements for consultation prescribed under section 5(2) of the National Health Service and Community Care Act 1990<sup>(2)</sup> do not apply in respect of this Order.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Coventry and Warwickshire Partnership National Health Service Trust (Establishment) Order 2006 and shall come into force on 1st October 2006.

(2) In this Order—

“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 she has a duty to provide under section 5(1) of that Act<sup>(3)</sup>;

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

“the trust” means the Coventry and Warwickshire Partnership National Health Service Trust established by article 2 of this Order.

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

(2) [1990 c.19](#); section 5(2) was amended by section 2(1) of, and paragraph 69(b) of Schedule 1 to, the 1995 Act. *See* [S.I. 1996/653](#) for prescribed consultation.

(3) [1977 c.49](#); Schedule 1 was amended by paragraph 21 of Schedule 12 of the Education Reform Act [1988 \(c.40\)](#), by paragraph 7 of Schedule 2 to the Health and Medicines Act [1988 \(c.49\)](#) (“the 1988 Act”), by paragraph 46 of Schedule 37 to the Education Act [1996 \(c.56\)](#) and by section 196 of, and Part 4 of Schedule 14 to, the Health and Social Care (Community Health and Standards) Act [2003 \(c.43\)](#); section 5(1) was amended by section 25 of, and Schedule 3 to, the 1988 Act and by section 140(3) of, and Schedule 31 to, the School Standards and Framework Act [1998 \(c.31\)](#).

**Establishment and name of the trust**

2. There is established a National Health Service trust which shall be called the Coventry and Warwickshire Partnership 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.

**Directors of the trust**

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

(2) Since 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 one of the non-executive directors shall be appointed from the University of Warwick Medical School.

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

5.—(1) The operational date of the trust shall be 1st October 2006.

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

Signed by authority of the Secretary of State for Health

14th September 2006

*Rosie Winterton*  
Minister of State  
Department of Health

## **EXPLANATORY NOTE**

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

This Order establishes the Coventry and Warwickshire Partnership National Health Service Trust as a National Health Service trust under the terms set out in section 5 of the National Health Service and Community Care Act 1990.

The Order sets out the functions of the trust (article 3), the number of executive and non-executive directors of the trust (article 4), the operational date (the date on which the trust assumes all its functions) and the accounting date of the trust (article 5).