

2009 No. 1510

NATIONAL HEALTH SERVICE, ENGLAND

**The George Eliot Hospital National Health Service Trust
(Establishment) Amendment Order 2009**

Made - - - - *18th June 2009*

Coming into force - - *1st July 2009*

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 25(1), 272(7) and (8) and 273(1) of, and paragraph 5 of Schedule 4 to, the National Health Service Act 2006(a).

The Secretary of State for Health makes this Order following the completion of the consultation prescribed under section 25(3) of the National Health Service Act 2006(b).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the George Eliot Hospital National Health Service Trust (Establishment) Amendment Order 2009 and shall come into force on 1st July 2009.

(2) In this Order—

“the Establishment Order” means the George Eliot Hospital National Health Service Trust (Establishment) Order 1993(c).

Amendment of article 1 of the Establishment Order

2. In article 1 of the Establishment Order (citation, commencement and interpretation), in paragraph (2)—

(a) for the definition of “the Act” substitute—

““the Act” means the National Health Service Act 2006;”

(b) after the definition of “the Act”, insert—

““community health services” means any services which the Secretary of State may provide under section 3(1)(d) or (e) of, or paragraph 2 or 7A(d) of Schedule 1 to, the Act and any service which he has a duty to provide under paragraph 1 or 8 of that Schedule;”;

(c) in the definition of “operational date”, for “paragraph 3(1)(e) of Schedule 2 to the Act” substitute “paragraph 5(5) of Schedule 4 to the Act”; and

(d) after the definition of “operational date” insert—

(a) 2006 c.41.

(b) See S.I. 1996/653; amended by S.I. 2001/3788.

(c) S.I. 1993/2551.

(d) Paragraph 7A was inserted by section 143 of the Health and Social Care Act 2008 (c.14).

““primary care services” means primary medical services, primary dental services, primary ophthalmic services and pharmaceutical services(a);”.

Amendment of nature and functions of the trust

3. In article 3 of the Establishment Order (nature and functions of the trust)—

- (a) in paragraph (1), for “5(1) of the Act” substitute “25(1) of the Act”; and
- (b) for paragraph (2) substitute—

“(2) The trust’s functions shall be to provide goods and services, namely hospital accommodation and services, community health services and primary care services, for the purposes of the health service.”.

Signed by authority of the Secretary of State for Health.

Ann Keen
Parliamentary Under-Secretary of State,
Department of Health

18th June 2009

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the George Eliot Hospital National Health Service Trust (Establishment) Order 1993 (the “Establishment Order”) which established the George Eliot Hospital National Health Service Trust.

Article 3 amends the provision of the Establishment Order which specifies the nature and functions of the trust, so as to replace the reference to section 5 of the National Health Service and Community Care Act 1990 (which has been replaced by section 25 of the National Health Service Act 2006), to remove the reference to the particular establishments and facilities from which the trust carries out its functions, and to amend and increase the functions the trust will carry out, in particular so that it can provide primary care and community health services in addition to hospital accommodation and services.

(a) For the meaning of these expressions, see sections 83, 99, 115, 126(8) and 276 of the Act.

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£4.00