

**2023 No. 480**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Mid Yorkshire Hospitals National Health Service Trust  
(Establishment) (Amendment) Order 2023**

*Made* - - - - *26th April 2023*

*Coming into force* *1st May 2023*

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

In accordance with section 25(3) of that Act, the Secretary of State has completed the consultation prescribed by regulations regulations(b) made under that section.

**Citation, commencement, interpretation and extent**

1.—(1) This Order may be cited as the Mid Yorkshire Hospitals National Health Service Trust (Establishment) (Amendment) Order 2023 and comes into force on 1st May 2023.

(2) In this Order, “the Establishment Order” means the Mid Yorkshire Hospitals National Health Service Trust (Establishment) and the Pinderfields and Pontefract Hospitals National Health Service Trust and the Dewsbury Health Care National Health Service Trust (Dissolution) Order 2002(c).

(3) This Order extends to England and Wales.

**Change of name and savings**

2.—(1) For article 1(2) of the Establishment Order (citation, commencement and interpretation) substitute—

“(2) In this Order, “the trust” means the Mid Yorkshire Teaching National Health Service Trust established by article 2 of this Order.”.

(2) In article 2 of the Establishment Order (establishment and name of trust), for “Mid Yorkshire Hospitals” substitute “Mid Yorkshire Teaching”.

(3) The change of name effected by paragraphs (1) and (2) does not—

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

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(a) 2006 c.41. (“the 2006 Act”). Section 25 of the 2006 Act is repealed by section 179(2) of the Health and Social Care Act 2012 (c.7) but the repeal provision is not yet in force.  
(b) S.I. 2010/743, to which there are amendments not relevant to this Order. The prescribed consultation under regulation 2(2) of S.I. 2010/743 is, before making an order under section 25(1) of the 2006 Act in relation to an NHS trust, consultation by the Secretary of State with that NHS trust.  
(c) S.I. 2002/1341.

- (b) invalidate any instrument (whether made before, on or after the day on which this Order comes into force) which refers to the Mid Yorkshire Hospitals National Health Service Trust, and all instruments or other documents which refer to that name must be construed as referring to the Mid Yorkshire Teaching National Health Service Trust.

#### **Change to nature and functions of the trust**

3. For article 3 of the Establishment Order (nature and functions of the trust) (including the heading), substitute—

##### **“Functions of the trust**

3. The trust’s functions are to provide goods and services for the purposes of the health service.”.

#### **Change of requirements relating to directors**

4. For article 4 of the Establishment Order (directors of the trust), substitute—

“4.—(1) The trust must have, in addition to the chairman, 6 non-executive directors and 6 executive directors.

(2) Since the trust is to be regarded as having a significant teaching commitment within the meaning of paragraph 5(1)(d) of Schedule 4 to the National Health Service Act 2006, one of the non-executive directors must be appointed from the University of Leeds.”.

#### **Removal of specification of “operational date”**

5. For article 5 of the Establishment Order (operational date and accounting date of the trust) (including the heading), substitute—

##### **“Accounting date of the trust**

5. The accounting date of the trust is 31st March.”.

Signed by authority of the Secretary of State for Health and Social Care.

26th April 2023

*Will Quince*  
Minister of State,  
Department of Health and Social Care

#### **EXPLANATORY NOTE**

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

This Order amends the Mid Yorkshire Hospitals National Health Service Trust (Establishment) and the Pinderfields and Pontefract Hospitals National Health Service Trust and the Dewsbury Health Care National Health Service Trust (Dissolution) Order 2002, which established the Mid Yorkshire Hospitals National Health Service Trust (“the trust”).

Article 2 changes the name of the trust to the Mid Yorkshire Teaching National Health Service Trust.

Article 3 sets out the functions of the trust as being to provide goods and services for the purposes of the health service.

Article 4 increases the number of non-executive directors, in addition to the chairman, that the trust must have from 5 to 6 and requires that one of these non-executive directors is appointed from the University of Leeds. It also requires that the trust must have 6 executive directors.

Article 5 omits the specification of the trust’s “operational date” as it is of no on-going relevance.

A full impact assessment has not been produced for this instrument as it has no effect on private sector or civil society organisations, and no significant effect on the public sector.

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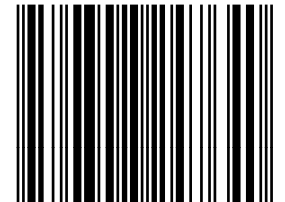
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