

2024 No. 97

NATIONAL HEALTH SERVICE, ENGLAND

**The Plymouth Hospitals National Health Service Trust
(Establishment) (Amendment) Order 2024**

Made - - - - 29th January 2024

Coming into force - - 5th February 2024

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 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^(b) made under that section.

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Plymouth Hospitals National Health Service Trust (Establishment) (Amendment) Order 2024 and comes into force on 5th February 2024.

(2) In this Order, “the Establishment Order” means the Plymouth Hospitals National Health Service Trust (Establishment) Order 1993^(c).

(3) This Order extends to England and Wales.

Amendment of interpretation provision

2. In article 1(2) of the Establishment Order (interpretation), omit the definition of “community health services”.

Amendment 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.”.

(a) 2006 c. 41.

(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 that, before making an order under section 25(1) of the National Health Service Act 2006 in relation to an NHS trust, the Secretary of State must consult that NHS trust.

(c) S.I. 1993/2568; relevant amending instruments are S.I. 2013/593, S.I. 2018/431 and S.I. 2022/634.

Amendment of requirements relating to directors

4. For article 4(1) of the Establishment Order (directors of the trust), substitute—

“(1) The trust must have, in addition to the chairman, 7 non-executive directors and 5 executive directors.”.

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

29th January 2024

Andrew Stephenson
Minister of State
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plymouth Hospitals National Health Service Trust (Establishment) Order 1993 (“the Establishment Order”), which established the University Hospitals Plymouth National Health Service Trust (“the trust”).

Article 3 sets out the functions of the trust as being to provide goods and services for the purposes of the health service. It removes the reference to hospital accommodation and services and community health services.

Article 4 increases the number of non-executive directors, in addition to the chairman, that the trust must have from 6 to 7.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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