

**2010 No. 2460**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Birmingham Community Healthcare National Health  
Service Trust (Establishment) Order 2010**

*Made* - - - - *7th October 2010*

*Coming into force* - - *1st November 2010*

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 25(1) and 272(7) and (8) 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 Birmingham Community Healthcare National Health Service Trust (Establishment) Order 2010 and shall come into force on 1st November 2010.

(2) In this Order—

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

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

“the trust” means the National Health Service trust established by article 2.

**Establishment and name of trust**

2. There is established a National Health Service trust which shall be called the Birmingham Community Healthcare National Health Service Trust.

**Nature and functions of the trust**

3. 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.

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(a) 2006 c.41.

(b) See S.I. 2010/743.

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

### **Directors of the trust**

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

(2) If the Secretary of State suspends the chairman, or a non-executive director of the trust, the number of non-executive directors of the trust shall increase during the period of suspension by the number of persons so suspended.

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

5.—(1) The operational date of the trust shall be 1st November 2010.

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

Signed by authority of the Secretary of State for Health.

7th October 2010

*Simon Burns*  
Minister of State,  
Department of Health

### **EXPLANATORY NOTE**

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

This Order establishes a National Health Service trust called the Birmingham Community Healthcare National Health Service Trust.

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).

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