

2011 No. 2397

NATIONAL HEALTH SERVICE, ENGLAND

**The Oxford Radcliffe Hospitals National Health Service Trust
(Change of Name) (Establishment) Amendment Order 2011**

Made - - - - *4th October 2011*

Coming into force - - *1st November 2011*

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 the National Health Service Act 2006(a).

In accordance with section 25(3) of that Act, the prescribed consultation has been completed(b).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Oxford Radcliffe Hospitals National Health Service Trust (Change of Name) (Establishment) Amendment Order 2011 and shall come into force on 1st November 2011.

(2) In this Order—

“the Establishment Order” means the Churchill John Radcliffe National Health Service Trust (Establishment) Order 1993(c);

“the trust” means the trust established by the Establishment Order.

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 a definition of “community health services”—

““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(d) of that Schedule;”;

(c) omit the definition of “operational date”.

(a) 2006 c.41.

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

(c) S.I. 1993/2544, amended by S.I. 1994/482 (which changed the name of the trust to the Oxford Radcliffe Hospital National Health Service Trust), S.I. 1998/1227 (which changed the name of the trust to the Oxford Radcliffe Hospitals National Health Service Trust) and S.I. 2000/961.

(d) Paragraph 7A was inserted by section 143 of the Health and Social Care Act 2008 (c.14) and amended by S.I. 2010/1158 which also amended paragraphs 1 and 2 of that Schedule.

Change of name of trust and supplementary provision

3.—(1) The trust shall be called the Oxford University Hospitals National Health Service Trust instead of the Oxford Radcliffe Hospitals National Health Service Trust.

(2) Accordingly, in article 1(2) of the Establishment Order in the definition of “the trust”, and in article 2 of the Establishment Order, for “Oxford Radcliffe Hospitals” substitute “Oxford University Hospitals”.

(3) The change of name effected by paragraph (1) shall not—

- (a) affect any right or obligation of any person; or
- (b) be taken as invalidating any instrument (whether made before, on or after the day on which this Order comes into force) which refers to the trust by its previous name, and all instruments and other documents which refer to the trust under its previous name shall be construed as referring to it under its new name.

Amendment of article 3 of the Establishment Order

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

“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.”.

Amendment of article 5 of the Establishment Order

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

“Accounting date of the trust

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

Revocation of articles 6, 7 and 8 of the Establishment Order

6. The following articles of the Establishment Order are revoked—

- (a) article 6 (limited functions before operational date);
- (b) article 7 (assistance by health authorities before operational date) and
- (c) article 8 (restriction on disposal of assets).

Signed by authority of the Secretary of State for Health.

4th October 2011

Paul Burstow
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Churchill John Radcliffe National Health Service Trust (Establishment) Order 1993 (the Establishment Order), which established the Churchill John Radcliffe National Health Service Trust. The name of the trust was changed to the Oxford Radcliffe Hospital National Health Service Trust by the Churchill John Radcliffe National Health Service Trust (Change of Name) Order 1994 and subsequently changed to the Oxford Radcliffe Hospitals National Health Service Trust by the Oxford Radcliffe Hospital National Health Service Trust (Change of Name) Order 1998.

Article 3 changes the name of the trust from the Oxford Radcliffe Hospitals National Health Service Trust to the Oxford University Hospitals National Health Service Trust and makes consequential amendments to the Establishment Order.

Article 4 sets out the nature and functions of the trust, which are to provide hospital accommodation and services and community health services for the purposes of the health service.

Article 5 specifies the trust's accounting date. It removes reference to the trust's operational date as the trust has assumed all its functions.

Article 6 revokes articles 6, 7 and 8 of the Establishment Order as they relate to the period before the operational date and are of no ongoing relevance (article 8 specifies a sum for the purposes of a provision of the National Health Service and Community Care Act 1990 which has been repealed).

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STATUTORY INSTRUMENTS

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£4.00

E1512 10/2011 111512T 19585

ISBN 978-0-11-151586-0



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