

**2011 No. 1552**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The NHS Foundation Trusts and Primary Care Trusts (Transfer  
of Trust Property) Order 2011**

<i>Made</i> - - - -	<i>21st June 2011</i>
<i>Laid before Parliament</i>	<i>24th June 2011</i>
<i>Coming into force</i> - -	<i>20th July 2011</i>

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 213, 217(2) and 272(7) and (8) of the National Health Service Act 2006(a), having regard to changes in the functions of the relevant old Trusts.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the NHS Foundation Trusts and Primary Care Trusts (Transfer of Trust Property Order) 2011 and shall come into force on 20th July 2011.

(2) In this Order—

“the relevant new Trust” means in relation to any relevant old Trust listed in column 1 of the Schedule, the body which is listed adjacent to it in column 2 of that Schedule;

“the relevant old Trust” means a body listed in column 1 of the Schedule;

“the trust property” means the property specified in a schedule of trust property prepared and agreed by the relevant old Trust and the relevant new Trust and signed on behalf of—

- (a) the relevant old Trust on the date specified in column 3 of the Schedule; and
- (b) the relevant new Trust on the date specified in column 4 of the Schedule.

**Transfer of trust property**

2.—(1) On the date that this Order comes into force the trust property, and any rights and liabilities arising from that property, shall be transferred from the relevant old Trust to the relevant new Trust, in each case listed in Part 1 of the Schedule.

(2) On the 1st August 2011, the trust property, and any rights and liabilities arising from that property, shall be transferred from the relevant old Trust, to the relevant new Trust, in each case listed in Part 2 of the Schedule.

(3) Following the transfers in paragraphs (1) and (2), any reference in any instrument relating to the trust property, to the trustees of the trust property or to the relevant old Trust shall be construed as a reference to the relevant new Trust.

Signed by authority of the Secretary of State for Health.

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(a) 2006 c. 41.

21st June 2011

## SCHEDULE

Article 2

<b>Part 1</b> <i>Relevant old Trust</i>	<i>Relevant new Trust</i>	<i>Date schedule signed by relevant old Trust</i>	<i>Date schedule signed by relevant new Trust</i>
Calderdale and Huddersfield NHS Foundation Trust( <b>a</b> )	South West Yorkshire Partnership NHS Foundation Trust( <b>b</b> )	26th May 2011	31st May 2011
Camden Primary Care Trust( <b>c</b> )	Barnet Enfield and Haringey Mental Health National Health Service Trust( <b>d</b> )	27th May 2011	31st May 2011
Camden Primary Care Trust	Whittington Hospital National Health Service Trust( <b>e</b> )	27th May 2011	20th May 2011
Derbyshire Healthcare NHS Foundation Trust( <b>f</b> )	Derbyshire Community Health Services National Health Service Trust( <b>g</b> )	19th May 2011	5th May 2011
Doncaster Primary Care Trust( <b>h</b> )	Rotherham Doncaster and South Humber NHS Foundation Trust( <b>i</b> )	9th June 2011	10th June 2011
North East Essex Primary Care Trust( <b>j</b> )	Colchester Hospital University NHS Foundation Trust( <b>k</b> )	20th May 2011	20th May 2011
North East Essex Primary Care Trust	Mid Essex Hospital Services National Health Service Trust( <b>l</b> )	31st May 2011	26th May 2011
North Yorkshire and York Primary Care Trust( <b>m</b> )	Airedale NHS Foundation Trust( <b>n</b> )	18th May 2011	12th May 2011

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- (a) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st August 2006. *See* [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).
- (b) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st May 2009. *See* [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).
- (c) Established by S.I. 2002/1000.
- (d) Established by S.I. 2001/1330, amended by S.I. 2011/57.
- (e) Established by S.I. 1992/2510, amended by S.I. 2011/1184.
- (f) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st February 2011. *See* [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).
- (g) Established by S.I. 2011/798.
- (h) Established by S.I. 2006/2072, to which there are amendments not relevant to this Order.
- (i) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st August 2007. *See* [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).
- (j) Established by S.I. 2006/2072, to which there are amendments not relevant to this Order.
- (k) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st May 2008. *See* [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).
- (l) Established by S.I. 1991/2370, amended by 1998/2116.
- (m) Established by S.I. 2006/2072, to which there are amendments not relevant to this Order.
- (n) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st June 2010. *See* [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).

North Yorkshire and York Primary Care Trust	South Tees Hospitals NHS Foundation Trust(a)	25th May 2011	9th May 2011
North Yorkshire and York Primary Care Trust	York Teaching Hospital NHS Foundation Trust(b)	25th May 2011	11th May 2011
Oxfordshire Primary Care Trust(c)	Oxford Health NHS Foundation Trust (d)	10th May 2011	10th May 2011
South West Yorkshire Partnership NHS Foundation Trust	Mid Yorkshire Hospitals National Health Service Trust(e)	12th May 2011	13th May 2011
<b>Part 2</b>			
Wolverhampton City Primary Care Trust(f)	Black Country Partnership NHS Foundation Trust(g)	8th June 2011	8th June 2011

### EXPLANATORY NOTE

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

This Order transfers to the relevant new Trusts, property held on trust by the relevant old Trusts and makes related provision. Copies of the schedules of trust property transferred under this Order can be obtained from the Department of Health, Quarry House, Quarry Hill, Leeds LS2 7UE.

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- (a) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st May 2009. See [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).
  - (b) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st April 2007. See [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).
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  - (e) Established by S.I. 2002/1341, amended by S.I. 2009/1577.
  - (f) Established by S.I. 2002/948, amended by S.I. 2006/2077.
  - (g) Authorised as an NHS Foundation Trust under section 35 of the National Health Service Act 2006 with effect from 1st February 2009. See [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).

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STATUTORY INSTRUMENTS

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£4.00