

2012 No. 2755

NATIONAL HEALTH SERVICE, ENGLAND

**The NHS Bodies (Transfer of Trust Property) Order (No. 2)
2012**

<i>Made</i> - - - -	<i>1st November 2012</i>
<i>Laid before Parliament</i>	<i>6th November 2012</i>
<i>Coming into force</i> - -	<i>17th December 2012</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 NHS bodies other than NHS foundation trusts.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the NHS Bodies (Transfer of Trust Property) Order (No. 2) 2012 and comes into force on 17th December 2012.

(2) In this Order—

“the relevant new Trust” means in relation to any relevant old Trust listed in column 1 of the Schedule (which Schedule has effect), 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.

(2) Following the transfers in paragraph (1), 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, its property or its trustees (as appropriate).

Signed by authority of the Secretary of State for Health.

Earl Howe
Parliamentary Under-Secretary of State for Health,

(a) 2006 c. 41. Section 213 was amended by paragraph 109 of Schedule 4 to the Health and Social Care Act 2012 (c. 7), on a date to be appointed under that Act.

SCHEDULE

Article 1(2)

<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>
Bolton Teaching Primary Care Trust(a)	Bolton NHS Foundation Trust(b)	28th September 2012	26th September 2012
Hinchingbrooke Health Care National Health Service Trust(c)	Cambridgeshire and Peterborough NHS Foundation Trust(d)	1st November 2012	28th September 2012
Northamptonshire Teaching Primary Care Trust(e)	Northampton General Hospital National Health Service Trust(f)	23rd August 2012	23rd August 2012
North Yorkshire and York Primary Care Trust(g)	Leeds and York Partnership NHS Foundation Trust(h)	10th September 2012	5th September 2012

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- (a) Established by S.I. 2001/3662, amended by S.I. 2002/1405, 2006/2077 and 2009/2874 (which changed the name of the Trust to the Bolton Teaching Primary Care Trust).
- (b) Authorised as an NHS foundation trust with effect from 1st October 2008. *See* <http://www.monitor-nhsft.gov.uk>.
- (c) Established by S.I. 1993/823.
- (d) Authorised as an NHS foundation trust with effect from 1st June 2008. *See* <http://www.monitor-nhsft.gov.uk>.
- (e) Established by 2006/2072, relevant amending instrument is S.I. 2007/1268 (which changed the name of the Trust to the Northamptonshire Teaching Primary Care Trust).
- (f) Established by S.I. 1993/2561, amended by S.I. 2011/1183.
- (g) Established by S.I. 2006/2072, to which there are amendments not relevant to this Order.
- (h) Authorised as an NHS foundation trust with effect from 1st August 2007. *See* <http://www.monitor-nhsft.gov.uk>.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers to the relevant new NHS bodies, property held on trust by the relevant old NHS bodies 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.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen

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STATUTORY INSTRUMENTS

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