

**EXPLANATORY MEMORANDUM TO THE
NORTHAMPTONSHIRE HEALTHCARE NATIONAL HEALTH SERVICE TRUST
(TRANSFER OF TRUST PROPERTY) ORDER**

2004 No. 2606

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 The purpose of the Statutory Instrument is to transfer property held on trust (charitable property) from Northamptonshire Healthcare National Health Service Trust to Daventry and South Northamptonshire Primary Care Trust. This instrument is made under sections 92(1), 96(1) and 126(4) of the National Health Service Act 1977.

3. Matters of special interest to the Joint Committee on Statutory Instruments *or* the Select Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 Due to changes in arrangements for the administration of the Northamptonshire Healthcare NHS Trust and following local consultation, it is proposed that the trust property currently held by Northamptonshire Healthcare NHS Trust is transferred to Daventry and South Northamptonshire Primary Care Trust.

5. Extent

5.1 This instrument applies to England.

6. European Convention on Human Rights

The Minister for Health has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the Northamptonshire Healthcare National Health Service Trust (Transfer of Trust Property) Order are compatible with the Convention rights.

7. Policy background

7.1 The policy objectives are to transfer trust property, together with any rights and liabilities arising from that property, from the Northamptonshire Healthcare NHS Trust to the Daventry and South Northamptonshire Primary Care Trust..

The consultation required by Section 92(3) of the National Health Service Act 1977 between the Secretary of State and the bodies concerned has taken place.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

Mike Grimshaw at the Department of Health Tel: 0113 2545391 or e-mail: mike.grimshaw@dh.gsi.gov.uk can answer any queries regarding the instrument.