

EXPLANATORY MEMORANDUM TO
THE LINCOLNSHIRE PARTNERSHIP NATIONAL HEALTH SERVICE TRUST
(TRANSFER OF TRUST PROPERTY) ORDER 2007

2007 No. 2743

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

2. Description

The purpose of the Statutory Instrument is to transfer property held on trust (charitable property) from Lincolnshire Partnership NHS Trust to Lincolnshire Teaching Primary Care Trust.

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

None

4. Legislative Background

The instrument has been made by the Secretary of State under section 213 of the National Health Service Act 2006. That section allows the Secretary of State to transfer trust property from one NHS body to another.

5. Extent

This instrument applies to England.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

Due to the reorganisation of services locally it is considered more appropriate after consultation with both the transferor NHS Trust and the receiving Primary Care Trust, for Lincolnshire Teaching Primary Care Trust to hold and administer the trust property currently held by Lincolnshire Partnership NHS Trust. It is considered that the transfer will improve the efficiency of the management and administration of the charitable property.

It is to be noted that Lincolnshire Partnership NHS Trust has applied for authorisation to become an NHS foundation trust, but the outcome of that application is as yet unknown. It is not considered that the success or otherwise of this application would have any effect on the appropriateness of the transfer of the charitable funds effected by this Order.

8. Impact

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

9. Contact

Chris Steele at the Department of Health, Tel 0113 254 5939 or e-mail Chris.Steele@dh.gsi.gov.uk, can answer any queries regarding the instrument.