

EXPLANATORY MEMORANDUM TO
THE EAST KENT HOSPITALS NATIONAL HEALTH SERVICE TRUST (TRANSFER OF
TRUST PROPERTY) ORDER 2008

2008 No. 83

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 East Kent Hospitals National Health Service Trust to Kent and Medway National Health Service and Social Care Partnership 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 NHS body in the circumstances of change laid down in that section.

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 Trust and the receiving National Health Service Trust, for Kent and Medway National Health Service and Social Care Partnership Trust to hold and administer on behalf of Eastern and Coastal Kent Primary Care Trust, the trust property currently held by East Kent Hospitals National Health Service Trust. It is considered that the transfer will improve the efficiency of the management and administration of the charitable property.

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

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Chris.Steele@dh.gsi.gov.uk, can answer any queries regarding the instrument.