

**2011 No. 1084**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Solihull Primary Care Trust (Establishment) Amendment  
Order 2011**

*Made* - - - - *4th April 2011*

*Coming into force* - - *15th April 2011*

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 18(2), 77(1), (2) and (6), 272(7) and (8) and 273(1) of, and paragraph 13(1) of Schedule 3 to, the National Health Service Act 2006(a).

The Secretary of State for Health makes this Order following an application made to the Secretary of State under section 77(5)(b) of the Act and following the consultation prescribed under section 18(5) of the Act(b).

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Solihull Primary Care Trust (Establishment) Amendment Order 2011 and shall come into force on 15th April 2011.

(2) In this Order—

“the Establishment Order” means the Solihull Primary Care Trust (Establishment) Order 2001(c);

“the trust” means the Primary Care Trust established by the Establishment Order.

**Amendment of article 1 of the Establishment Order**

**2.** In article 1 of the Establishment Order (citation, commencement and interpretation), in paragraph (2)—

(a) for the definition of “the Act”, substitute—

““the Act” means the National Health Service Act 2006;”;

(b) in the definition of “operational date”, for “paragraph 1(2) of Schedule 5” substitute “paragraph 13(2) of Schedule 3;” and

(c) omit the definition of “preparatory period”.

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(a) 2006 c.41. By virtue of section 271 of the Act the powers of the Secretary of State conferred by these provisions are exercisable only in relation to England.  
(b) See S.I. 1999/2337, relevant amending instruments are S.I. 2001/3788 and 2002/2469.  
(c) S.I. 2001/211, relevant amending instrument is S.I.2006/2526.

### **Change of name of the trust**

3. The trust shall be called the Solihull Primary Care Trust instead of the Solihull Care Trust, and accordingly—

- (a) in article 1(2) of the Establishment Order (citation, commencement and interpretation), in the definition of “the trust”; and
- (b) in article 2 of the Establishment Order (establishment and name of the Primary Care Trust),

after “Solihull” insert “Primary”.

### **Effect of change of name**

4. The change of name effected by article 3 of this Order shall not—

- (a) affect any right or obligation of any person; or
- (b) be taken as invalidating any instrument (whether made before, on, or after the day on which this Order comes into force) which refers to the trust by its previous name,

and all instruments and other documents which refer to the trust under its previous name shall be construed as referring to it under its new name.

### **Revocation of designation as Care Trust**

5. Article 2(2) of the Establishment Order is omitted.

### **Revocation of articles 6 and 7**

6. The following articles of the Establishment Order are revoked—

- (a) article 6 (limitations on the exercise of functions by the trust during the preparatory period); and
- (b) article 7 (assistance during the preparatory period).

Signed by authority of the Secretary of State for Health.

4th April 2011

*Paul Burstow*  
Minister of State,  
Department of Health

### **EXPLANATORY NOTE**

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

This Order amends the Solihull Primary Care Trust (Establishment) Order 2001.

Article 3 of the Order changes the name of the trust from the Solihull Care Trust to the Solihull Primary Care Trust, and makes consequential amendments to the Establishment Order. Article 4 makes provision as to the effect of the change of name.

Article 5 revokes the designation of the trust as a Care trust under section 77 of the National Health Service Act 2006.

Article 6 revokes articles 6 and 7 of the Establishment Order as they relate to the period before the operational date and are of no ongoing relevance.

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

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