STATUTORY RULES OF NORTHERN IRELAND

2006 No. 296

HEALTH AND PERSONAL SOCIAL SERVICES

The Western Health and Social Services Trust (Establishment) Order (Northern Ireland) 2006

Made - - - -	*22nd June 2006*
Coming into operation	*1st August 2006*

The Department of Health, Social Services and Public Safety(**1**) makes the following Order in exercise of the powers conferred by Article 10(1) of, and paragraphs 3, 3A, 4 and 5 of Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1991(**2**).

In accordance with Article 10(2) of that Order it has consulted with Health and Social Services Councils and such other persons and bodies as the Department considered appropriate.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Western Health and Social Services Trust (Establishment) Order (Northern Ireland) 2006 and shall come into operation on 1st August 2006.

(2) In this Order—

"the Order" means the Health and Personal Social Services (Northern Ireland) Order 1991;

"establishment date" means 1st August 2006;

"operational date" has the meaning assigned to it by paragraph 3(1)(*e*) of Schedule 3 to the Order;

"relevant functions" has the meaning assigned to it by Article 3(2) of the Health and Personal Social Services (Northern Ireland) Order 1994(**3**); and

"the trust" means the Western Health and Social Services Trust established by Article 2.

Establishment of the trust

2. There is established an HSS trust which shall be called the Western Health and Social Services Trust.

(**1**) Formerly the Department of Health and Social Services. See S.I. 1999/283 (N.I. 1) Article 3(6)
(**2**) S.I. 1991/194 (N.I. 1); Article 10 and Schedule 3 were amended by S.I. 1994/429 (N.I. 2) and 2001c3 (N.I.)
(**3**) S.I. 1994/429 (N.I. 2); the relevant functions are specified in S.R. 1994 No. 64 as amended by S.R. 1996 No. 439 and S.R. 2003 No. 200

Nature and functions of the trust

3.—(1) The trust is established for the purposes specified in Article 10(1) of the Order.

(2) The trust's functions (which include functions which the Department considers appropriate in relation to the provision of services by the trust for one or more relevant bodies) shall be—

(a) to provide hospital accommodation and services at Altnagelvin Area Hospital, Glenshane Road, Londonderry BT47 1SB, Erne Hospital, Cornagrade Road, Enniskillen, Co Fermanagh BT74 6AY, Gransha Hospital, Clooney Road, Londonderry BT47 1TF, Stradreagh Hospital, Clooney Road, Londonderry BT47 1TF, Tyrone County Hospital, Hospital Road, Omagh, Co Tyrone BT79 0AP, Tyrone and Fermanagh Hospital, 1 Donaghanie Road, Omagh, Co Tyrone BT79 0NS, Waterside Hospital, 16 Gransha Park, Londonderry BT47 1WH and associated premises;

(b) to provide community based health and personal social services from the trust headquarters and associated premises; and

(c) to exercise, on behalf of Health and Social Services Boards, such relevant functions as are so exercisable by the trust by virtue of authorisations for the time being in operation under Article 3(1) of the Health and Social Services (Northern Ireland) Order 1994.

Operational area of the trust

4. The operational area of the trust shall be—

(a) for the purposes of the statutory provisions specified in Part I of the Schedule, the local government districts of Derry, Limavady, Strabane, Omagh and Fermanagh;

(b) for the purposes of the statutory provisions specified in Part II of the Schedule, Northern Ireland.

Directors of the trust

5. The trust shall have, in addition to the chairman, 5 non-executive directors and 5 executive directors.

Operational date of the trust

6. The operational date of the trust shall be 1st April 2007.

Limited functions before operational date

7. Between its establishment date and operational date, the trust shall have the functions of doing such things as are reasonably necessary for the purpose of enabling it to begin to operate satisfactorily with effect from the operational date including—

(a) of entering into HSS contracts; and

(b) of entering into other contracts including contracts of employment.

Assistance by a relevant body before operational date

8.—(1) The Agency shall discharge the liabilities of the trust, reasonably incurred between the establishment date and the operational date, that are of a description specified in paragraph (2).

(2) The liabilities referred to in paragraph (1) are—

(a) liability for the remuneration and travelling or other allowances of the chairman and non-executive directors of the trust;