1995 No. 423

HEALTH AND PERSONAL SOCIAL SERVICES

The Foyle Health and Social Services Trust (Establishment) Order (Northern Ireland) 1995

Made . . . . . *8th November 1995*

Coming into operation . . *9th November 1995*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 10(1) of, and paragraphs 1, 3, 3A, 4, 5 and 6(2)(*d*) of Schedule 3 to, the Health and Personal Social Services (Northern Ireland) Order 1991(**a**) and of all other powers enabling it in that behalf, having consulted the persons or bodies referred to in Article 10(2) of that Order, hereby makes the following order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the Foyle Health and Social Services Trust (Establishment) Order (Northern Ireland) 1995 and shall come into operation on 9th November 1995.

(2) In this order—

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

"establishment date" means 9th November 1995;

"operational area" has the meaning assigned to it by paragraph 3A of Schedule 3 to the Order;

"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(**b**);

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

Establishment of the trust

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

(**a**) S.I. 1991/194 (N.I. 1); Article 10(1) was amended, and paragraph 3A of Schedule 3 was inserted, by S.I. 1994/429 (N.I. 2); paragraph 1 of Schedule 3 is cited for the definition of "an order"

(**b**) S.I. 1994/429 (N.I. 2); the relevant functions are specified in S.R. 1994 No. 64

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 own and manage hospital accommodation and services provided at Waterside Hospital, 16 Gransha Park, Londonderry BT47 1WH, Gransha Hospital, Clooney Road, Londonderry BT47 1TF, Stradreagh Hospital, Clooney Road, Londonderry BT47 1TF and associated premises;

(*b*) to manage community-based health and personal social services provided from Foyle Unit, Riverview House, Abercorn Road, Londonderry BT48 6SA and to own those and any 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 Personal 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 and the following wards in the local government district of Strabane, that is to say Sion Mills, Finn (part of), Victoria Bridge (part of), Artigarvan, Dunnamanagh, Slievekirk, Strabane North, Strabane South, Strabane East and Strabane West;

(*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 1996.

Limited functions before operational date

7. Between its establishment and operational date, the trust shall have the limited functions of—

(*a*) entering into HSS contracts;

(*b*) entering into other contracts including contracts of employment; and

(*c*) doing such other things as are reasonably necessary,