



National Health Service Reorganisation Act 1973

1973 CHAPTER 32

PART II

ABOLITION OF CERTAIN AUTHORITIES AND TRANSFER
OF PROPERTY, STAFF AND ENDOWMENTS ETC.

Hospital endowments etc.

28 Application of trust property: further provisions

- (1) Any discretion given by a trust instrument to the trustees of property transferred under section 24, 25 or 26 of this Act shall be exercisable by the person to whom the property is so transferred and, subject to the preceding section and subject to the following provisions of this section, the transfer shall not affect the trusts on which the property is held.
- (2) Where property is transferred under section 24 of this Act and any discretion is given by a trust instrument to the trustees to apply the property, or income arising from the property, to such hospital services (including research) as the trustees think fit without any restriction on the kinds of hospital services and without any restriction to one or more specified hospitals, the discretion shall be enlarged so as to allow the application of the property, or as the case may be of the income arising from the property, to such extent as the trustees think fit, for any other part of the health service associated with any hospital.
- (3) The preceding subsection shall apply on any subsequent transfer of the property under section 26 of this Act.