



2009 CHAPTER 1

Transfer of assets, liabilities and functions

Schemes for transfer of assets and liabilities

23.—(1) The power conferred by subsection (2) is exercisable in connection with the dissolution of the bodies mentioned in section 1(1).

(2) The Department shall make one or more schemes for the transfer of designated assets and liabilities of a dissolved body to—

- (a) a health and social care body; or
- (b) the Department.

(3) The power conferred by subsection (4) is exercisable in connection with—

- (a) any change in the administrative structures for health and social care effected by or under this Act; or
- (b) the efficient management of any assets or liabilities used for the purposes of health and social care.

(4) The Department may at any time make one or more schemes for the transfer—

- (a) of designated assets or liabilities of the Department to a health and social care body;
- (b) of designated assets or liabilities of a health and social care body to—
 - (i) the Department; or
 - (ii) any other health and social care body.

(5) On the transfer date the designated assets or liabilities are transferred and vest in accordance with the scheme.

(6) Schedule 5 has effect and in that Schedule—

- (a) Part 1 contains provisions about schemes; and
 - (b) Part 2 contains provisions about the final accounts and reports of certain dissolved bodies.
- (7) In this section and Schedule 5—
- “designated”, in relation to a scheme, means specified in or determined in accordance with the scheme;
 - “dissolved body” means a body dissolved by section 1(1);
 - “scheme” means a scheme under this section;
 - “the transfer date”, in relation to a scheme, means the date specified by the scheme as the date on which it is to have effect.