

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: National Health Service (Scotland) Act 1978, Cross Heading: Borrowing is up to date with all changes known to be in force on or before 22 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 7B

#### FINANCIAL PROVISIONS RELATING TO NHS TRUSTS

##### Textual Amendments

- F1** Schs. 7A, 7B inserted by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 32, **Sch. 6**

##### *Borrowing*

- 1 (1) Subject to [<sup>F2</sup>any direction given by the Secretary of State, to]]the provisions of this paragraph and to any limit imposed under the following provisions of this Schedule, for the purpose of its functions an NHS trust may borrow (both temporarily, by way of overdraft, and longer term) from the Secretary of State or from any other person.
- (2) An NHS trust may not grant any security over any of its assets or in any other way use any of its assets as security for a loan.
- <sup>F3</sup>(3) .....
- <sup>F3</sup>(4) .....
- <sup>F3</sup>(5) .....
- [<sup>F4</sup>(6) It shall be for the Secretary of State, with the consent of the Treasury, to determine the terms of any loan made by him to an NHS trust (including terms as to the payment of interest, if any).]

##### Textual Amendments

- F2** Words in Sch. 7B para. 1(1) inserted (1.10.1999) by 1999 c. 8, s. 55(2); S.S.I. 1999/90, art. 2(a), **Sch. 1**
- F3** Sch. 7B para. 1(3)–(5) repealed (1.10.1999) by 1999 c. 8, ss. 55(3), 65(2), **Sch. 5**; S.S.I. 1999/90, art. 2(a)(c), Sch. 1, **Sch. 2**
- F4** Sch. 7B para. 1(6) substituted (1.10.1999) by 1999 c. 8, s. 55(4); S.S.I. 1999/90, art. 2(a)

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