



# National Health Service (Scotland) Act 1978

## 1978 CHAPTER 29

### PART I

#### ORGANISATION

##### *Trusts*

#### **[<sup>F1</sup>12G Trust property of NHS trusts.**

- (1) Subject to subsection (2), an NHS trust shall have power to accept, hold and administer any property on trust for purposes relating to any service which it is their function to make arrangements for, administer or provide.
- (2) The Secretary of State may by order make such provision as he thinks appropriate in relation to the appointment of trustees in respect of an NHS trust for the purpose of holding in trust any property which is to be so held on behalf of the trust; and any such order may include provision as to the persons by whom, the manner in which, the conditions on which and the time within which, such trustees are to be appointed.
- (3) Where—
  - (a) section 82 applies in relation to any endowment or property which is held on trust by a Health Board; and
  - (b) that endowment or property is, by virtue of an order under section 12D [<sup>F2</sup>or a request under section 6(1) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)], transferred to an NHS trust,section 82 shall apply to the use of that endowment or property by the trust as it applied to the use thereof by the Health Board.
- (4) Trustees appointed by virtue of subsection (2) shall cause proper accounts to be kept of the capital, income and expenditure vested in, received by and expended by them;

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*Status: Point in time view as at 24/09/2022.*

*Changes to legislation: National Health Service (Scotland) Act 1978, Section 12G is up to date with all changes known to be in force on or before 20 July 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)*

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and shall cause such accounts to be audited and an abstract thereof to be published in such manner as the Secretary of State may approve.]

**Textual Amendments**

- F1** S. 12G inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), **s. 33**
- F2** Words in s. 12G(3)(b) inserted (12.2.2004) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\)](#), **ss. 10(1), 21(2)**; S.S.I. 2003/602, **art. 2(4)**

**Status:**

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