



National Health Service Act 2006

2006 CHAPTER 41

PART 2

HEALTH SERVICE BODIES

[^{F1}CHAPTER 5A

TRUST SPECIAL ADMINISTRATORS: NHS TRUSTS AND NHS FOUNDATION TRUSTS

[^{F1}Supplementary

Textual Amendments

F1 Pt. 2 Ch. 5A inserted (15.2.2010) by [Health Act 2009 \(c. 21\)](#), ss. 16, 40(1); S.I. 2010/30, art. 3(a)

65M Replacement of trust special administrator

[^{F2}(1) If a trust special administrator ceases to hold office for any reason before an order is made under section 65L(2) or (2B) or the trust is dissolved, NHS England must—

- (a) appoint another person as the trust special administrator, and
- (b) publish the name of the person appointed.]

(2) Where a person is appointed under subsection (1) in relation to a trust, anything done by or in relation to a previous trust special administrator has effect as if done by or in relation to that person, unless [^{F3}NHS England] directs otherwise.

^{F4}(3)

Textual Amendments

F2 S. 65M(1) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 8 para. 18\(2\)](#); S.I. 2022/734, reg. 2(a), [Sch. \(with regs. 13, 29, 30\)](#)

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- F3** Words in s. 65M(2) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 8 para. 18(3)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F4** S. 65M(3) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 8 para. 18(4)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

65N Guidance

(1) [^{F5}NHS England] must publish guidance for trust special administrators.

[It must, in so far as it applies to NHS trusts, include guidance about—

- ^{F6}(1A) (a) seeking the support of commissioners for an administrator's recommendation;
^{F7}(b)]

(2) It must include guidance about the publication of notices under sections 65H and 65J.

[It must include guidance about the publication of—

- ^{F8}(2A) (a) notices under section 65KC(4)(a);
 (b) statements under section 65KC(4)(b).]

(3) It must include guidance about the preparation of draft reports, as to—

- (a) persons to be consulted;
 (b) factors to be taken into account;
 (c) relevant publications.

[Before publishing guidance under this section, [^{F10}NHS England] must consult the

- ^{F9}(3A) Care Quality Commission.]
^{F11}(4)

Textual Amendments

- F5** Words in s. 65N(1) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 8 para. 19(2)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F6** S. 65N(1A) inserted (15.7.2014) by Care Act 2014 (c. 23), **ss. 120(14)**, 127(1); S.I. 2014/1714, art. 3(2)(c)
- F7** S. 65N(1A)(b) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 8 para. 19(3)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F8** S. 65N(2A) inserted (1.11.2012) by Health and Social Care Act 2012 (c. 7), **ss. 178(2)**, 306(4); S.I. 2012/2657, art. 2(2)
- F9** S. 65N(3A) inserted (15.7.2014) by Care Act 2014 (c. 23), **ss. 84(6)**, 127(1); S.I. 2014/1714, art. 3(2)(a)
- F10** Words in s. 65N(3A) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 8 para. 19(4)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F11** S. 65N(4) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 8 para. 19(5)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

65O Interpretation of this Chapter

[In this Chapter—

- ^{F12}(1) “trust special administrator” means a person appointed under section [^{F13}65B(8)(a)] [^{F14}, section 65D(2)] or section 65M(1)(a);

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“working day” means any day which is not Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971.]

- [^{F15}(2) The references in this Chapter to taking action in relation to an NHS trust include a reference to taking action, including in relation to another NHS trust or an NHS foundation trust, which is necessary for and consequential on action taken in relation to that NHS trust.
- (3) The references in this Chapter to taking action in relation to an NHS foundation trust include a reference to taking action, including in relation to another NHS foundation trust or an NHS trust, which is necessary for and consequential on action taken in relation to that NHS foundation trust.]

Textual Amendments

- F12** S. 65O(1): s. 65O renumbered as s. 65O(1) (15.7.2014) by [Care Act 2014 \(c. 23\)](#), **ss. 120(1)**, 127(1); [S.I. 2014/1714](#), art. 3(2)(c)
- F13** Word in s. 65O(1) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 8 para. 20**; [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)
- F14** Words in s. 65O inserted (1.11.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 178(4)**, 306(4); [S.I. 2012/2657](#), art. 2(2)
- F15** S. 65O(2)(3) inserted (15.7.2014) by [Care Act 2014 \(c. 23\)](#), **ss. 120(1)**, 127(1); [S.I. 2014/1714](#), art. 3(2)(c)

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