



National Health Service (Wales) Act 2006

2006 CHAPTER 42

PART 11

PROPERTY AND FINANCE

CHAPTER 3

PROPERTY TRANSFERRED UNDER THE NATIONAL HEALTH SERVICE ACT 1946

166 Transferred property free of trusts

- (1) The Welsh Ministers may use any property—
 - (a) which is vested in them, and
 - (b) to which section 219 of the National Health Service Act 2006 (c. 41) applies, for the purpose of any of their functions under this Act.
- (2) But the Welsh Ministers must so far as practicable secure that the objects for which any such property was used immediately before the transfer mentioned in subsection (1) of that section are not prejudiced by the exercise of the power conferred by this section.

Modifications etc. (not altering text)

- C1** [S. 166](#): Functions made exercisable by Local Health Boards (1.10.2009) by [The Local Health Boards \(Directed Functions\) \(Wales\) Regulations 2009 \(S.I. 2009/1511\)](#), reg. 4, [Sch.](#)

167 Trust property previously held for general hospital purposes

- (1) This section applies to property—
 - (a) transferred under section 23 of the National Health Service Reorganisation Act 1973 (c. 32) (winding-up of hospital endowment funds), or

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service (Wales) Act 2006, Chapter 3 is up to date with all changes known to be in force on or before 06 August 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)

- (b) transferred under section 24 of that Act (transfer of trust property from abolished authorities) and which immediately before the day appointed for the purposes of that section was, in accordance with any provision contained in or made under section 7 of the National Health Service Act 1946 (c. 81), applicable for purposes relating to hospital services or relating to some form of research,

including any such property which has been further transferred under section 92 of the National Health Service Act 1977 (c. 49).

- (2) This section continues to apply to any such property after any further transfer under section 161 or 162.
- (3) The person holding the property after the transfer or last transfer must secure, so far as is reasonably practicable, that the objects of any original endowment, and the observance of any conditions attached to that endowment, including in particular conditions intended to preserve the memory of any person or class of persons, are not prejudiced by this Part of this Act.
- (4) “Original endowment” means a hospital endowment which was transferred under section 7 of the National Health Service Act 1946 and from which the property in question is derived.
- (5) Subject to subsection (3), the property must be held on trust for such purposes relating to hospital services (including research), or to any other part of the health service associated with any hospital, as the person holding the property considers appropriate.
- (6) Where the person holding the property is a body of special trustees, the power conferred by subsection (5) must be exercised as respects the hospitals for which they are appointed.

168 Voluntary hospitals

- (1) Subsection (2) applies where—
- (a) any hospital provided by the Welsh Ministers in accordance with this Act was a voluntary hospital transferred by virtue of the National Health Service Act 1946, and
- (b) the character and associations of that hospital before its transfer were such as to link it with a particular religious denomination.
- (2) Regard must be had in the general administration of the hospital to the preservation of that character and those associations.

Status:

Point in time view as at 01/01/2009.

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