



National Health Service (Wales) Act 2006

2006 CHAPTER 42

PART 11

PROPERTY AND FINANCE

CHAPTER 2

TRUSTS

163 Trustees and property under section 169

- (1) Where property is given in pursuance of section 169 (power of NHS bodies to raise money) to or on trust for any purposes of a hospital for which special trustees have been appointed, the property may be held, administered and applied by the special trustees instead of by the body responsible for the hospital if that body and the special trustees agree.
- (2) The body responsible for a hospital is—
 - (a) in the case of a hospital vested in an NHS trust, that trust, and
 - (b) in any other case, the Local Health Board exercising functions of the Welsh Ministers in respect of the hospital.
- (3) Subsection (4) applies where property is given in pursuance of section 169 on trust for any purposes of an NHS trust for which trustees have been appointed under paragraph 10 of Schedule 3^{F1}....
- (4) Where this subsection applies and the trustees and the NHS trust agree, the property may be held, administered and applied by the trustees instead of by the NHS trust.
- (5) Property given in pursuance of section 169 on trust may be transferred by order of the Welsh Ministers under section 161 or 162 in the same circumstances as other trust property may be transferred under either of those sections.

Changes to legislation: National Health Service (Wales) Act 2006, Section 163 is up to date with all changes known to be in force on or before 19 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) [View outstanding changes](#)

Textual Amendments

- F1** Words in s. 163(3) omitted (1.7.2022) by virtue of [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 7 para. 7](#); [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)
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Modifications etc. (not altering text)

- C1** [S. 163\(2\)\(b\)](#): 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.](#)

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Changes and effects yet to be applied to :

- s. 163(3) words omitted by [2016 c. 10 Sch. 1 para. 14](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 201A-201C inserted by [2017 c. 23 s. 9](#)
- s. 201C(2) words substituted by [2018 c. 12 Sch. 19 para. 118\(2\)](#)
- s. 201C(4) inserted by [2018 c. 12 Sch. 19 para. 118\(3\)](#)
- Sch. 7 para. 1(2A) inserted by [2009 c. 21 s. 32\(3\)](#)