



National Health Service (Wales) Act 2006

2006 CHAPTER 42

PART 11

PROPERTY AND FINANCE

CHAPTER 6

FINANCE

Local Health Boards

174 Public funding of Local Health Boards

- (1) The Welsh Ministers must, in respect of each financial year, pay to each Local Health Board—
 - (a) sums equal to its general ophthalmic ^{F1} . . . services expenditure, and
 - (b) sums not exceeding the amount allotted by the Welsh Ministers to the Local Health Board for that year towards meeting the Local Health Board's main expenditure in that year.
- (2) In determining the amount to be allotted for any year to a Local Health Board under subsection (1)(b) (or in varying the amount under subsection (9)), the Welsh Ministers may take into account, in whatever way they consider appropriate—
 - (a) the Local Health Board's general ophthalmic ^{F1} . . . services expenditure, and
 - (b) expenditure which would have been the Local Health Board's general ophthalmic ^{F1} . . . services expenditure but for an order under section 180(2) (special arrangements as to payment of remuneration),during any period the Welsh Ministers consider appropriate (or such elements of that expenditure as they consider appropriate).
- (3) Where the Welsh Ministers have made an initial determination of the amount (“the initial amount”) to be allotted for any year to a Local Health Board under subsection (1)

Status: Point in time view as at 17/06/2013.

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- (b), they may increase the initial amount by a further sum if it appears to them that over a period notified to the Local Health Board—
- (a) it satisfied any objectives notified to it as objectives to be met in performing its functions, or
 - (b) it performed well against any criteria notified to it as criteria relevant to the satisfactory performance of its functions (whether or not the method of measuring its performance against those criteria was also notified to it).
- (4) “Notified” means specified or referred to in a notice given to the Local Health Board by the Welsh Ministers.
- (5) In making any increase under subsection (3), the Welsh Ministers may (whether by directions under subsection (10) or otherwise) impose any conditions they consider appropriate on the application or retention by the Local Health Board of the sum in question.
- (6) Subsection (7) applies where—
- (a) the Welsh Ministers have, under subsection (3), increased by any sum the amount to be allotted for any year to a Local Health Board,
 - (b) the Welsh Ministers have notified the Local Health Board of the allotment, and
 - (c) it subsequently appears to the Welsh Ministers that the Local Health Board has failed (wholly or in part) to satisfy any conditions imposed in making that increase.
- (7) Where this subsection applies, the Welsh Ministers may reduce—
- (a) the allotment made to the Local Health Board for that year, or
 - (b) when the Welsh Ministers have made an initial determination of the amount (“the initial amount”) to be allotted for any subsequent year to the Local Health Board under subsection (1)(b), the initial amount,
- by an amount not exceeding the sum mentioned in subsection (6)(a).
- (8) An amount is allotted to a Local Health Board for a year under this section when the Local Health Board is notified by the Welsh Ministers that the amount is allotted to it for that year.
- (9) The Welsh Ministers may make an allotment under this section increasing or reducing (subject to subsection (7)) an allotment previously so made; and the reference to a determination in subsection (3) includes a determination made with a view to increasing or reducing an allotment previously so made.
- (10) The Welsh Ministers may give directions to a Local Health Board with respect to—
- (a) the application of sums paid to it under this section, or
 - (b) the payment of sums by it to the Welsh Ministers in respect of charges or other sums referable to the valuation or disposal of assets.
- (11) Sums falling to be paid to Local Health Boards under this section are payable subject to such conditions as to records, certificates or otherwise as the Welsh Ministers may determine.
- (12) “General ophthalmic^{F1} . . . services expenditure” and “main expenditure” are defined in Schedule 8.

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Textual Amendments

- F1** Words in s. 174(1)(a)(2)(a)(b)(12) repealed (21.5.2010) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 140, 166, 170, Sch. 12 para. 7, [Sch. 15 Pt. 4](#); S.I. 2010/1457, [art. 2](#)

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