

These notes relate to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4) which received Royal Assent on 11 March 2003

PUBLIC APPOINTMENTS AND PUBLIC BODIES ETC. (SCOTLAND) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Health Service Bodies

Section 10 – Holding of certain property by NHS trusts and Health Boards

44. The provisions in section 10 relate to the holding of endowments by Health Boards and NHS trusts.
45. *Subsection (1)* amends section 12G(3) of the 1978 Act to apply the terms of section 82 of that Act to the holding by a NHS trust of endowments transferred by virtue of the provisions of this Act. This therefore requires NHS trusts holding such endowments, so far as reasonably practicable, to meet the objects of the original endowment in the holding and use of endowments so transferred.
46. *Subsection (2)* amends section 82 of the 1978 Act to extend the application of that section to Health Boards holding endowments transferred by virtue of this Act.
47. *Subsection (3)* amends section 83 of the 1978 Act by adding a power for Health Boards to hold and administer property on trust for NHS trusts.