



# Public Appointments and Public Bodies etc. (Scotland) Act 2003

## 2003 asp 4

### PART 2

#### PROVISION AS TO CERTAIN PUBLIC BODIES ETC.

##### *Health Service bodies*

#### **10 Holding of certain property by NHS trusts and Health Boards**

- (1) In section 12G (trust property of NHS trusts) of the 1978 Act, in subsection (3)(b), after the words “12D” there is inserted “or a request under section 6(1) of the Public Appointments and Public Bodies etc. (Scotland) Act [2003 \(asp 4\)](#)”.
- (2) In section 82 (use and administration of certain endowments and other property held by Health Boards) of that Act, after subsection (2) there is inserted—

“(2A) All endowments and other property (including value in lieu of the property) vested in a Health Board by virtue of section 5 or 6(2) of the Public Appointments and Public Bodies etc. (Scotland) Act [2003 \(asp 4\)](#) is so vested free of any trust existing immediately before it is so vested (hereafter in this section referred to in relation to any such endowment or property as “the original trust”); but all such endowments and other property shall be held by the Health Board on trust for such purposes relating to services provided under this Act or in relation to hospitals, or to the functions of the Board with respect to research, as the Board may think fit.”
- (3) In section 83 (power of Health Boards to hold property on trust) of that Act, after subsection (1) there is inserted—

“(1A) A Health Board shall have power to accept, hold and administer any property on trust for purposes relating to any service which it is the function of any NHS trust in the area of the Health Board to make arrangements for, administer or provide.”