

STATUTORY INSTRUMENTS

1972 No. 1265

Health and Personal Social Services (Northern Ireland) Order 1972

PART X

ENDOWMENTS AND OTHER TRUST PROPERTY, ETC.

[^{F1}Power for certain health bodies to accept property on trust, etc]

85.—(1) ^{F2}...[^{F3} A special agency] may accept, hold and administer any property on trust for purposes relating to any service which it is [^{F3} that body's] function to make arrangements for, administer or provide.

[^{F4}(2) For the purposes of giving effect to the provisions of any will, deed or other like instrument—

(a) any reference therein to a management committee, a health authority or a welfare authority shall be construed as a reference to the appropriate [^{F5}HSC trust] ;

^{F6}(b)

(c) any reference therein to a hospital or other establishment or facility managed by an [^{F7}HSC trust] shall be construed as a reference to that trust.]

(3) Nothing in Article 87 shall affect the operation of any such provisions as are referred to in paragraph (2).

- F1** Art. 85 heading substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 43\(4\)](#); S.R. 2022/102, art. 2(b)
- F2** Words in art. 85(1) omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 43\(2\)](#); S.R. 2022/102, art. 2(b)
- F3** 1990 NI 3
- F4** 1991 NI 1
- F5** Words in art. 85(2)(a) substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 43\(3\)\(a\)](#); S.R. 2022/102, art. 2(b)
- F6** Art. 85(2)(b) omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 43\(3\)\(b\)](#); S.R. 2022/102, art. 2(b)
- F7** Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), s. 34(3), [Sch. 6 para. 1\(1\)\(d\)](#); S.R. 2009/114, art. 2

Changes to legislation:

Health and Personal Social Services (Northern Ireland) Order 1972, Section 85 is up to date with all changes known to be in force on or before 08 May 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument amended by [1995 c. 51 s.4Sch. para.30](#)

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

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

- art. 56(4C)(4D) substituted by [S.I. 2002/3135 Sch. 1 para. 16](#) (This amendment has not been applied as it has been superceded by the substitution of art. 56 by 2004/311 NI 2 art. 3)
- art. 61-61E and art. 61F and cross-heading substituted for art. 61 by [2008 c. 2 \(N.I.\) s. 2\(2\)](#) (This amending provision is itself amended (13.6.2016) before it comes into force by 2016 c. 26 (N.I.), ss. 9, 20(2))
- art. 98(3) added by [2008 c. 2 \(N.I.\) s. 4\(1\)](#)
- art. 107(1A) inserted by [2008 c. 2 \(N.I.\) s. 4\(4\)\(b\)](#)