



# Health Act 1999

## 1999 CHAPTER 8

### PART I

#### THE NATIONAL HEALTH SERVICE

##### *NHS trusts*

#### **13 Establishment orders.**

- (1) <sup>F1</sup> .....
- (2) <sup>F1</sup> .....
- (3) <sup>F1</sup> .....
- (4) <sup>F1</sup> .....
- (5) An order under section 63 may—
  - (a) provide for any provision made by it for the purposes of, in consequence of or for giving full effect to this section to be treated as having had effect from a time before the commencement of this section,
  - (b) make such provision about an NHS trust dissolved before that commencement.
- (6) <sup>F2</sup> .....
- (7) <sup>F2</sup> .....
- (8) <sup>F2</sup> .....
- (9) <sup>F2</sup> .....
- (10) <sup>F2</sup> .....
- (11) <sup>F2</sup> .....

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*Changes to legislation: There are currently no known outstanding effects for the Health Act 1999, Cross Heading: NHS trusts. (See end of Document for details)*

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**Textual Amendments**

- F1** S. 13(1)-(4) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), ss. 6, 8(2), [Sch. 4](#) (with [Sch. 2](#) para. 19)
- F2** S. 13(6)-(11) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), ss. 6, 8(2), [Sch. 4](#) (with [Sch. 2](#) para. 19)

**Commencement Information**

- I1** S. 13 wholly in force at 1.11.1999; s. 13 not in force at Royal Assent see [s. 67\(1\)](#); s. 13 in force for E. at 1.10.1999 by [S.I. 1999/2540](#), [art. 2\(1\)\(a\)](#), [Sch. 1](#); s. 13 in force for W. at 1.11.1999 by [S.I. 1999/3184](#), [art. 2\(1\)](#), [Sch. 1](#)

**14 Exercise of powers.**

**F3** .....

**Textual Amendments**

- F3** S. 14 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), ss. 6, 8(2), [Sch. 4](#) (with [Sch. 2](#) Pt. 1)

**15 Public dividend capital.**

**F4** .....

**Textual Amendments**

- F4** S. 15 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), ss. 6, 8(2), [Sch. 4](#) (with [Sch. 2](#) Pt. 1)

**16 Existing NHS trusts: conversion of initial loan.**

- (1) This section applies to any NHS trust in existence immediately before commencement.
- (2) On commencement so much of the originating capital debt of the NHS trust as remains outstanding immediately before commencement is to be treated as the originating capital of the NHS trust and accordingly is public dividend capital.
- (3) Any reference in any enactment, instrument or other document to the originating capital debt of the NHS trust is to be construed (except where the context otherwise requires) as a reference to its originating capital.
- (4) The Secretary of State may with the consent of the Treasury determine the amount and time for payment of interest on the NHS trust's initial loan in respect of the period ending with commencement.
- (5) In this section—  
“commencement” means the coming into force of this section,

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“initial loan” has the meaning given by section 9(5) of [<sup>F5</sup>the National Health Service and Community Care Act 1990, prior to the repeal of that section by the National Health Service (Consequential Provisions) Act 2006]

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**Textual Amendments**

**F5** Words in s. 16(5) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 8(2), [Sch. 1 para. 195](#) (with [Sch. 3 Pt. 1](#))

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**Commencement Information**

**I2** [S. 16](#) wholly in force at 1.11.1999; [s. 16](#) not in force at Royal Assent see [s. 67\(1\)](#); [s. 16](#) in force for E. at 1.9.1999 by [S.I. 1999/2342](#), art. 2(1), [Sch. 1](#); [s. 16](#) in force for W. at 1.11.1999 by [S.I. 1999/3184](#), art. 2(1), [Sch. 1](#)

**17 Borrowing.**

**F6** .....

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**Textual Amendments**

**F6** [S. 17](#) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 6, 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Health Act 1999, Cross Heading: NHS trusts.