SCOTTISH STATUTORY INSTRUMENTS

2004 No. 285

NATIONAL HEALTH SERVICE

The National Health Service (Transfer of Property between Health Boards) (Scotland) (No 2) Regulations 2004

Made - - - -	*10th June 2004*
Laid before the Scottish Parliament - - - -	*11th June 2004*
Coming into force - -	*2nd July 2004*

The Scottish Ministers, in exercise of the powers conferred on them by section 5(4) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Transfer of Property between Health Boards) (Scotland) (No 2) Regulations 2004 and shall come into force on 2nd July 2004.

(2) In these Regulations–

"the Act" means the Public Appointments and Public Bodies etc. (Scotland) Act 2003;

"former Trust property" means any Trust property (including any value in lieu of the property) which has been transferred to a Health Board by virtue of section 5(1) or (2) of the Act; and

"Trust property" has the same meaning as in section 5 of the Act.

Conditions of transfer, and vesting of, former Trust property

2. The conditions subject to which a Health Board ("the transferor") may, under section 5(4) of the Act, transfer former Trust property to another Health Board ("the transferee"), and such property may be vested in the transferee, are–

(a) that the consideration for the transfer shall be such as may be agreed between the transferor and the transferee;

(b) that the property transferred, and any income from the property, can only be used for purposes consistent with the purposes for which the former Trust property is held and those purposes shall be notified by the transferor to the transferee before the transfer takes place;

(**1**) 2003 asp 4.