

SCHEDULES

SCHEDULE 3

[^{F1}HEALTH AND SOCIAL CARE TRUSTS]

F1 Words in Order substituted (1.4.2009) by virtue of Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(c)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**

PART IV

DISSOLUTION

23.—(1) The Department may by order dissolve an [^{F1}HSC trust].

(2) An order under this paragraph may be made—

(a) on the application of the [^{F1}HSC trust] concerned; or

(b) if the Department considers it appropriate in the interests of the health and [^{F2}social care].

(3) Except where it appears to the Department necessary to make an order under this paragraph as a matter of urgency, no such order shall be made until after the completion of such consultation as may be prescribed.

F1 Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(d)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**

F2 Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(a)** (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, **art. 2**

24.—(1) If an [^{F3}HSC trust] is dissolved under this Part, the Department may by order transfer or provide for the transfer to—

(a) the Department,

(b) a relevant body,

(c) another [^{F3}HSC trust],

of such of the property, rights and liabilities of the [^{F3}HSC trust] which is dissolved as in the Department's opinion is appropriate; and any such order may include provisions corresponding to those of Article 13.

[^{F4}(1A) The Department must exercise its powers under sub-paragraph (1) so as to ensure that all the liabilities of the HSC trust are transferred.]

(2) An order under this paragraph may make provision in connection with the transfer of staff employed by or for the purposes of the [^{F3}HSC trust] which is dissolved; and such an order may include provisions corresponding to those of Articles 11 and 12 including provision for the making of a scheme by such relevant body or other body as may be specified in the order.

Changes to legislation: There are currently no known outstanding effects for the The Health and Personal Social Services (Northern Ireland) Order 1991, PART IV. (See end of Document for details)

(3) No order shall be made under this paragraph until after the completion of such consultation as may be prescribed.

- F3** Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(d)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**
- F4** Sch. 3 para. 24(1A) inserted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), **Sch. 6 para. 13(13)(c)**; S.R. 2009/114, **art. 2**

25. Without prejudice to the generality of paragraph 24, if an [^{F5}HSC trust] is dissolved under this Part, the Department or such other [^{F5}HSC trust] or relevant body as the Department may direct shall undertake the responsibility for the continued payment of any such pension, allowances or gratuities as, by virtue of paragraph 9(2) or paragraph 17, would otherwise have been the responsibility of the trust which has been dissolved.

- F5** Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(d)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**

26. An [^{F6}HSC trust] may not be dissolved or wound up except in accordance with this Part.

- F6** Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(d)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the The Health and Personal Social Services (Northern Ireland) Order 1991, PART IV.