SCOTTISH STATUTORY INSTRUMENTS

2006 No. 33

The National Health Service (Variation of the Areas of Greater Glasgow and Highland Health Boards) (Scotland) Order 2006

PART 4

TRANSFER OF PROPERTY AND OTHER RIGHTS AND LIABILITIES

Scheme as to the transfer of property and other rights and liabilities

7.—(1) Greater Glasgow and Highland Health Boards shall use their best endeavours to agree and make a scheme, on such terms and subject to such conditions (if any) as may be so agreed as to which of Greater Glasgow or Highland Health Boards–

(a) the property (whether designated by item or by category) ; and

(b) all other rights and liabilities (whether designated individually or by category),

of Argyll and Clyde Health Board shall transfer and vest in on 1st April 2006.

(2) The scheme shall have effect to transfer the property to, and vest such property in, Greater Glasgow or Highland Health Board (as the case may be), and to transfer the other rights and liabilities of Argyll and Clyde Health Board to Greater Glasgow or Highland Health Board (as the case may be), in whom such rights and liabilities shall vest in accordance with the scheme's terms with effect from 1st April 2006.

(3) In the absence of agreement between Greater Glasgow and Highland Health Boards as to which of them any property or any other rights or liabilities of Argyll and Clyde Health Board shall transfer, or as to the terms and conditions of such transfer, such property shall transfer to, and vest in, and such other rights and liabilities (as the case may be) shall transfer to and vest in Greater Glasgow Health Board with effect from 1st April 2006, on (so far as is applicable and legally possible) the same terms and conditions as they were held by Argyll and Clyde Health Board immediately prior to that date.

(4) Greater Glasgow Health Board and Highland Health Board shall hold any endowment property transferred to them in terms of Article 7(2) or (in the case of Greater Glasgow Health Board) Article 7(3)), on trust as endowment funds.