
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 347

**The National Health Service (Variation of
Areas of Health Boards) (Scotland) Order 2013**

PART 2

**TRANSFER OF PROPERTY, RIGHTS AND LIABILITIES
BETWEEN LANARKSHIRE HEALTH BOARD
AND GREATER GLASGOW HEALTH BOARD**

Scheme for the transfer of property, rights and liabilities

5.—(1) Lanarkshire Health Board and Greater Glasgow Health Board must prepare and, prior to 1st March 2014, make a scheme for the transfer to Lanarkshire Health Board of such property, rights and liabilities of Greater Glasgow Health Board as is necessary or expedient having regard to the variation of the area of each Health Board.

(2) The scheme transfers that property and those rights and liabilities to Lanarkshire Health Board.

(3) The scheme has effect from 1st April 2014.

(4) Any endowment or property held on trust by or on behalf of Greater Glasgow Health Board which is transferred to Lanarkshire Health Board by virtue of paragraph (2) is to be held by them on trust for such purposes relating to services provided under the National Health Service (Scotland) Act 1978 or in relation to hospitals, or to their functions with respect to research as Lanarkshire Health Board think fit.

(5) Any dispute in relation to the scheme is to be referred to the Scottish Ministers whose decision is final.

Duties in relation to the making of the scheme and criteria to be considered

6.—(1) In making the scheme under article 5 Lanarkshire Health Board and Greater Glasgow Health Board must ensure that property situated in, and rights and liabilities as respects, a place or area which is within the area of Lanarkshire Health Board as varied by article 3, transfers to Lanarkshire Health Board.

(2) Where it appears to Lanarkshire Health Board and Greater Glasgow Health Board that the criterion in paragraph (1) is not adequate to determine whether any property, right or liability transfers to Lanarkshire Health Board they may apply any other criteria that they agree is appropriate for this purpose.

(3) Lanarkshire Health Board and Greater Glasgow Health Board must co-operate with each other in the preparation of the scheme, and in particular must provide one another with any information required to prepare and make the scheme.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Publication of the scheme

7.—(1) Lanarkshire Health Board and Greater Glasgow Health Board must publish the scheme no later than 1st March 2014.

(2) The scheme must be published on the website of each of Lanarkshire Health Board and Greater Glasgow Health Board, in at least one national newspaper circulating throughout Scotland and in at least one local newspaper circulating in the area of each of these Health Boards.