

SCHEDULES

SCHEDULE 2

LOCAL HEALTH BOARDS

PART 3

OTHER MATTERS

Transfer of property

- 22 (1) The Welsh Ministers may by order (referred to in this paragraph and paragraph 23 as a transfer order)—
- (a) transfer (or provide for the transfer of) any of the property and liabilities of a health service authority to a Local Health Board,
 - (b) create or impose (or provide for the creation or imposition of) new rights or liabilities in respect of property transferred or retained.
- (2) Any property and liabilities which—
- (a) belong to a health service authority other than the Welsh Ministers or are used or managed by a Local Health Board, and
 - (b) will be transferred to a Local Health Board by or under a transfer order,
- must be identified by agreement between the health service authority and the Local Health Board or, in default of agreement, by direction of the Welsh Ministers.
- (3) Where a transfer order transfers (or provides for the transfer of)—
- (a) land held on lease from a third party, or
 - (b) any other asset leased or hired from a third party or in which a third party has an interest,
- the transfer is binding on the third party despite the fact that, apart from this subparagraph, the transfer would have required the third party's consent or concurrence.
- (4) “Third party” means a person other than a health service authority.
- (5) In this paragraph and paragraph 23, “health service authority” means the Welsh Ministers, a Local Health Board or an NHS trust in Wales.