
WELSH STATUTORY INSTRUMENTS

2000 No. 999

**The Health Act 1999 (Fund-holding Practices)
(Transfer of Assets, Savings, Rights and Liabilities
and Transitional Provisions) (Wales) Order 2000**

PART III

LIABILITIES AND COSTS TO BE MET BY HEALTH AUTHORITIES

Rights and liabilities remaining with former members

6.—(1) Subject to paragraphs (2) and (3), any liability which did not become enforceable against the Health Authority in accordance with article 3, shall nevertheless be paid for by the Health Authority if the liability—

- (a) is one which falls within article 3(2); or
- (b) is incurred on or after 1st April 2000 pursuant to a written consent granted before that date.

(2) The Health Authority shall be liable to pay for a liability of the former members of the fund-holding practice under paragraph (1) up to the lower of any limitation on the sum to be applied set out in the written consent or in paragraphs (3B) and (3C) of regulation 25(1) of the 1996 Regulations as those paragraphs had effect on the date the Health Authority consent was granted.

(3) Where the former members of a fund-holding practice become aware of any claim relating to a liability falling within paragraph (1), they shall—

- (a) notify the Health Authority of the claim; and
- (b) take such action as the Health Authority shall reasonably require to avoid, dispute, resist, compromise, defend, or appeal against the claim.

(1) Paragraphs (3B) and (3C) of regulation 25 were inserted by [S.I. 1998/693](#), regulation 11(4). Paragraph (3B) was amended by [S.I. 1999/261](#), regulation 22(7), and paragraph (3C) was substituted by [S.I. 1999/261](#), regulation 22(8).