



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 2 **E+W**

#### HEALTH SERVICE BODIES

### **[<sup>F1</sup>CHAPTER 5A **E+W****

#### TRUST SPECIAL ADMINISTRATORS: NHS TRUSTS AND NHS FOUNDATION TRUSTS

*[<sup>F1</sup>Action by the Secretary of State and [<sup>F1</sup>NHS England]]*

### **[<sup>F1</sup>[<sup>F2</sup>65LA **E+W****

- (1) This section applies if—
- the Secretary of State is satisfied as mentioned in section 65KB(1) or 65KD(1), and
  - the action recommended in the final report is to dissolve the NHS foundation trust in question.
- (2) This section also applies if the Secretary of State decides under section 65KD(9) to dissolve the NHS foundation trust in question.
- (3) [<sup>F3</sup>NHS England] may make an order—
- dissolving the trust, and
  - transferring, or providing for the transfer of, the property and liabilities of the trust [<sup>F4</sup>—
    - to an NHS body;
    - to the Secretary of State;
    - between more than one NHS body or between one or more NHS bodies and the Secretary of State.]

**Status:** Point in time view as at 01/07/2022.

**Changes to legislation:** National Health Service Act 2006, Section 65LA is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) An order under subsection (3) may include provision for the transfer of employees of the trust.
- (5) The liabilities that may be transferred [<sup>F5</sup>to an NHS body] by virtue of subsection (3) (b) include criminal liabilities.]]

#### Textual Amendments

- F1** Pt. 2 Ch. 5A inserted (15.2.2010) by Health Act 2009 (c. 21), ss. 16, 40(1); S.I. 2010/30, art. 3(a)
- F2** S. 65LA inserted (27.3.2012 for specified purposes, 1.11.2012 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), ss. 177(6), 306(1)(d)(4); S.I. 2012/2657, art. 2(2)
- F3** Words in s. 65LA(3) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 8 para. 17; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F4** Words in s. 65LA(3)(b) substituted (26.5.2015) by Deregulation Act 2015 (c. 20), ss. 96(6), 115(7); S.I. 2015/994, art. 6(r)
- F5** Words in s. 65LA(5) substituted (26.5.2015) by Deregulation Act 2015 (c. 20), ss. 96(7), 115(7); S.I. 2015/994, art. 6(r)

**Status:**

Point in time view as at 01/07/2022.

**Changes to legislation:**

National Health Service Act 2006, Section 65LA is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.