
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 56

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

Final balance

6.—(1) When the Board is satisfied that the requirements of paragraph (1) of article 5 have been satisfied, it shall determine the amount, if any, which remains of the sum transferred under article 3, and that amount shall be known as the final balance.

(2) The Board's determination under paragraph (1) shall be conclusive.

(3) Subject, in the case of former members of a fund-holding practice, to paragraph (4) and, in the case of former members of a residual fund-holding practice, to paragraph (5), the Board shall, in agreement with the former members in question, apply the final balance for any of the purposes specified in regulation 20(1) or 22 of the 1997 Regulations.

(4) Any part of the final balance relating to former members of a fund-holding practice which has not been applied or in relation to which agreement has not been reached in accordance with paragraph (3) by 31st March 2001 shall belong to the Board.

(5) Any part of the final balance relating to former members of a residual fund-holding practice—

- (a) which was in existence by 31st March 1999 but has not been applied or in relation to which agreement has not been reached in accordance with paragraph (3) by 31st March 2001; or
- (b) pertaining to the part financial year 1999-2000 which has not been applied or in relation to which agreement has not been reached in accordance with paragraph (3) by 30th September 2001,

shall belong to the Board.