



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 11

#### PROPERTY AND FINANCE

### CHAPTER 2

#### TRUSTS

#### **217 Trusts: supplementary provisions**

- (1) This section applies in relation to—
  - (a) section 51(1) to (3),
  - (b) sections 212 to 214,
  - (c) section 216,
  - (d) section 218,
  - (e) section 220,
  - (f) paragraphs 12 and 13 of Schedule 2,
  - (g) paragraph 12 of Schedule 3,
  - (h) paragraph 10 of Schedule 4, and
  - (i) paragraphs 8 and 9 of Schedule 6.
- (2) A provision—
  - (a) contained in a provision to which this section applies,
  - (b) for the transfer of any property,includes provision for the transfer of any rights and liabilities arising from that property.
- (3) Where a transfer of property by virtue of a provision to which this section applies is of, or includes—
  - (a) land held on lease from a third party, or

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*Status: This is the original version (as it was originally enacted).*

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- (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 notwithstanding that, apart from this subsection, it would have required his consent or concurrence.
- (4) “Third party” means a person other than the Secretary of State or an NHS body.
- (5) Nothing in a provision to which this section applies affects any power of Her Majesty, the court (as defined in the Charities Act 1993 (c. 10)) or any other person, to alter the trusts of any charity.
- (6) Nothing in section 12 of the Finance Act 1895 (c. 16) (which requires certain Acts and certain instruments relating to the vesting of property by virtue of an Act to be stamped as conveyances on sale) applies to—
- (a) a provision to which this section applies, or
  - (b) an order made in pursuance of any such provision.
- (7) Stamp duty is not payable on an order falling within subsection (6)(b).