



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 2

#### HEALTH SERVICE BODIES

### CHAPTER 5

#### NHS FOUNDATION TRUSTS

#### *[<sup>F1</sup>Mergers, acquisitions and separations]*

#### **[<sup>F1</sup>57A Dissolution**

- (1) An application may be made by an NHS foundation trust to [<sup>F2</sup>NHS England] for dissolution.
- (2) An application under this section may be made only with the approval of more than half of the members of the council of governors of the applicant.
- (3) [<sup>F3</sup>NHS England] must grant the application if it is satisfied that—
  - <sup>F4</sup>(a) .....
  - (b) such steps as are necessary to prepare for the dissolution have been taken.
- (4) Where an application under this section is granted, [<sup>F5</sup>NHS England] must make an order—
  - (a) dissolving the trust in question, and
  - <sup>F6</sup>(b) transferring, or providing for the transfer of, the property and liabilities (including criminal liabilities) to another NHS foundation trust, an NHS trust established under section 25 or the Secretary of State.]

[ The order must include provision for the transfer of any employees of the NHS <sup>F7</sup>(5) foundation trust that is dissolved.]]

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**Changes to legislation:** National Health Service Act 2006, Section 57A is up to date with all changes known to be in force on or before 26 May 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) View outstanding changes

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### Textual Amendments

- F1** S. 57A inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 171**, 306(4); S.I. 2013/671, art. 2(3)
- F2** Words in s. 57A(1) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 5 para. 23(2)**; S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F3** Words in s. 57A(3) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 5 para. 23(3)**; S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F4** S. 57A(3)(a) omitted (1.7.2022) by virtue of [Health and Care Act 2022 \(c. 31\)](#), **ss. 66(a)**, 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F5** Words in s. 57A(4) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 5 para. 23(4)**; S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F6** S. 57A(4)(b) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 66(b)**, 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F7** S. 57A(5) inserted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 66(c)**, 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)

**Changes to legislation:**

National Health Service Act 2006, Section 57A is up to date with all changes known to be in force on or before 26 May 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.  
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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3B(1)(aa) inserted by [2022 c. 31 Sch. 3 para. 2\(b\)](#)
- s. 3B(1)(za) inserted by [2022 c. 31 Sch. 3 para. 2\(a\)](#)
- s. 13G(4) words omitted by virtue of 2012 c. 7, Sch. 14 para. 4A (as inserted) by [2014 c. 23 s. 120\(18\)\(a\)](#)
- s. 35(3A)(3B) inserted by [2012 c. 7 s. 159\(4\)](#)
- s. 35(3A) words substituted by [2022 c. 31 Sch. 5 para. 12\(4\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 35(3A) by 2012 c. 7 s.159(4) not yet in force.)
- s. 40(4)-(4B) substituted for s. 40(4) by [2012 c. 7 Sch. 14 para. 5](#)
- s. 42(1A) inserted by [2012 c. 7 Sch. 14 para. 6](#)
- s. 65F(2A)-(2F) inserted by [2012 c. 7 Sch. 14 para. 15\(4\)](#) (This amendment is itself amended before it comes into force by 2014 c. 23, ss. 85(15), 120(18)(b)(c), 127(1); S.I. 2014/1714, art. 3(2)(b)(c))
- s. 65H(10A) inserted by [2012 c. 7 Sch. 14 para. 17\(4\)](#)
- s. 65H(10A) omitted by [2022 c. 31 Sch. 8 para. 7\(7\)](#) (This amendment not applied to legislation.gov.uk. 2012 c. 7 Sch. 14 revoked at 1.7.2022 by 2022 c. 31, s. 186(6), Sch. 7 para. 13 before the insertion of s. 65H(10A) could come into effect.)
- s. 82A-83A and cross-heading substituted for s. 83 and cross-heading by [2022 c. 31 Sch. 3 para. 3](#)
- s. 84(4)-(4B) substituted for s. 84(4) by [2022 c. 31 Sch. 3 para. 4\(4\)](#)
- s. 92(5A) inserted by [2022 c. 31 Sch. 3 para. 9\(4\)](#)
- s. 94(3)(ca)(cb) substituted for s. 94(3)(ca) by [2022 c. 31 Sch. 3 para. 11\(3\)](#)
- s. 98A98B substituted for s. 98A by [2022 c. 31 Sch. 3 para. 14](#)
- s. 98BC-99B and cross-heading substituted for s. 99 and cross-heading by [2022 c. 31 Sch. 3 para. 15](#)
- s. 100(3A)(3B) inserted by [2022 c. 31 Sch. 3 para. 16\(4\)](#)
- s. 109(3)(ca)(cb) substituted for s. 109(3)(ca) by [2022 c. 31 Sch. 3 para. 23\(3\)](#)
- s. 112(1)(za) inserted by [2022 c. 31 Sch. 3 para. 24\(2\)\(b\)](#)
- s. 114A114B substituted for s. 114A by [2022 c. 31 Sch. 3 para. 26](#)
- s. 114C and cross-heading inserted by [2022 c. 31 Sch. 3 para. 27](#)
- s. 116A116B and cross-heading inserted by [2022 c. 31 Sch. 3 para. 30](#)
- s. 117(4)(4A) substituted for s. 117(4) by [2022 c. 31 Sch. 3 para. 31\(4\)](#)
- s. 125A125B substituted for s. 125A by [2022 c. 31 Sch. 3 para. 39](#)
- s. 223C(1)(c)(d) inserted by [2022 c. 31 s. 28](#)
- s. 223LA inserted by [2022 c. 31 s. 30\(3\)](#)
- Sch. 15 para. 4(1)(b) and word omitted by [2012 c. 7 Sch. 14 para. 39\(3\)](#)