



Health and Social Care Act 2012

2012 CHAPTER 7

PART 4

NHS FOUNDATION TRUSTS & NHS TRUSTS

Failure

173 Repeal of de-authorisation provisions

- (1) Omit section 52C of the National Health Service Act 2006 (guidance etc. on de-authorisation notices).
- (2) Omit sections 53 to 55 of, and Schedule 9 to, that Act (voluntary arrangements and dissolution); and in consequence of that—
 - (a) in section 57 of that Act (as amended by section 172 of this Act)—
 - (i) in subsection (3)(a), for “the persons mentioned in section 54(4)” substitute “another NHS foundation trust, an NHS trust established under section 25 or the Secretary of State”,
 - (ii) omit subsection (3)(b), and
 - (iii) in subsection (4), for “any of the bodies mentioned in section 54(4) (a) or (c)” substitute “another NHS foundation trust or an NHS trust established under section 25”,
 - (b) in section 64(4) of that Act (as amended by section 172 of this Act), omit paragraph (b), and
 - (c) omit section 18(2) to (6) and (11) of the Health Act 2009.
- (3) Omit section 65E of the National Health Service Act 2006 (NHS foundation trusts: de-authorisation and appointment of administrator).
- (4) Omit Schedule 8A to that Act (de-authorised NHS trusts and NHS foundation trusts).
- (5) Omit section 15 of the Health Act 2009 (which inserts sections 52A to 52E and Schedule 8A in the National Health Service Act 2006).

Status: This is the original version (as it was originally enacted).

- (6) In section 272 of the National Health Service Act 2006 (orders, regulations, rules and directions)—
 - (a) in subsection (5), omit paragraph (aa), and
 - (b) in subsection (6A), omit “52D(1), 52E(6),”.
- (7) In section 275(1) of that Act (interpretation), in the definition of “NHS trust”—
 - (a) omit “, subject to Schedule 8A,”, and
 - (b) omit “52D(1) or”.
- (8) In section 206(1) of the National Health Service (Wales) Act 2006, in the definition of “NHS trust”, omit “52D(1) or”.