WELSH STATUTORY INSTRUMENTS

2008 No. 3171 (W.284) (C.144)

NATIONAL HEALTH SERVICE, WALES

The Health Act 2006 (Commencement No. 2) (Wales) Order 2008

Made - - - - 12 December 2008

The Welsh Ministers make this Order in exercise of the powers conferred by section 83(5)(a) of the Health Act 2006(**1**).

Title, interpretation and application

1.—(1) The title of this Order is the Health Act 2006 (Commencement No. 2) (Wales) Order 2008.

(2) In this Order "the Act" ("*y Ddeddf*") means the Health Act 2006.

(3) This order applies in relation to Wales.

Appointed day for provisions relating to the supervision and management of controlled drugs

2. 13 December 2008 is the appointed day for the coming into force of the following provisions of the Act—

(a) Chapter 1 of Part 3 of the Act as it applies in relation to Wales, in so far as it is not already in force(**2**); and

(b) sections 76, 77 and 78 so far as they relate to offences under Chapter 1 of Part 3 (including offences created in regulations under that Chapter).

Edwina Hart
Minister for Health and Social Services, one of the Welsh Ministers

12 December 2008

(**1**) 2006 c. 28. The functions of the National Assembly for Wales under the Health Act 2006 (c. 28) ("the Act") were transferred to the Welsh Ministers in accordance with paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**2**) In so far as any provision of the Act confers power to make an order or regulations or defines any expression relevant to the exercise of any such power it came into force on the passing of the Act by virtue of section 83(1)(e) of the Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the second Commencement Order made under the Health Act 2006 ("the 2006 Act"). It brings into force Chapter 1 of Part 3 of the 2006 Act in relation to Wales. This contains measures relating to the safe management and use of controlled drugs in certain health and social care settings. In particular, it provides for the appointment of accountable officers who must ensure that specified organisations have appropriate arrangements for the safe and effective handling of controlled drugs, and it contains duties of collaboration between responsible bodies and rights of entry and inspection to relevant premises.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following Commencement Order has been made under the Health Act 2006 by the National Assembly for Wales in relation to Wales:

The Health Act 2006 (Commencement No.1 and Transitional Provisions) (Wales) Order 2007 (S.I.2007/204 (W.18) (C.9)).

The following Commencement Orders have been made under the Health Act 2006 by the Secretary of State for Health in relation to England and Wales:

The Health Act 2006 (Commencement No.1 and Transitional Provisions) Order 2006 (S.I. 2006/2603 (C.88)),

The Health Act 2006 (Commencement No.2) Order 2006 (S.I. 2006/3125 (C.108)) (parts also relate to Scotland),

The Health Act 2006 (Commencement No.3) Order 2007 (S.I. 2007/1375 (C.57)).

The Health Act 2006 (Commencement No.5) Order 2008 (S.I. 2008/1972 (C.96)).

The following Commencement Order has been made under the Health Act 2006 by the Secretary of State for Health in relation to England and Scotland:

The Health Act 2006 (Commencement No.4) Order (S.I. 2008/1147 (C.50)).

Provision	*Date of*	*S.I. Number Commencement*
Sections 1 to 3	2 April 2007 (in relation to Wales) and 1 July 2007 (in relation to England)	2007/204 (W.18) (C.9) 2007/1375 (C.57)
Section 4	1 July 2007 (in relation to England)	2007/1375 (C.57)
Section 5	2 April 2007 (in relation to Wales)	2007/204 (W.18) (C.9)
Section 5 (other than section 5(4))	1 July 2007 (in relation to England)	2007/1375 (C.57)