WELSH STATUTORY INSTRUMENTS

2006 No. 978 (W.101)

HEALTH CARE AND ASSOCIATED PROFESSIONS, WALES

The Health Professions Wales Abolition Order 2006

Made - - - -	*29 March 2006*
Coming into force - -	*1 April 2006*

The National Assembly for Wales, in exercise of the powers conferred upon it by section 5 of the Health (Wales) Act 2003(**1**) hereby makes the following Order:

Name, commencement, application and interpretation

1.—(1) The title of this Order is the Health Professions Wales Abolition Order 2006 and it comes into force on 1 April 2006.

(2) This Order applies to Wales.

(3) In this Order—

"HPW" ("*PIC*") means the body known as Health Professions Wales (Proffesiynau Iechyd Cymru) established by the 2004 Order;

"local supervising authority" ("*awdurdod goruchwylio lleol*") means the body exercising functions pursuant to articles 42(1)(b) and 43 of the Nursing and Midwifery Order 2001(**2**);

"the 2004 Order" ("*Gorchymyn 2004*") means the Health Professions Wales (Establishment, Membership, Constitution and Functions) Order 2004(**3**);

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales;

Abolition of Health Professions Wales

2. HPW is abolished.

(**1**) 2003 c. 4.
(**2**) S.I.2002/253.
(**3**) S.I. 2004/551 (W.55).

Revocation of Orders

3. The 2004 Order and the Health Professions Wales (Transfer of Staff, Property, Rights and Liabilities) Order 2004(**4**) are revoked.

Transfer of Staff

4. On 1 April 2006—

(a) subject to sub-paragraphs (b) and (c) the members of staff of HPW who immediately before that date, have a contract of employment with HPW will be treated as transferred from HPW and employed by Bro Morgannwg NHS Trust;

(b) the members of staff of HPW who immediately before that date have a contract of employment with HPW and who are dealing wholly or mainly with the functions of a local supervising authority will be treated as transferred from HPW and employed by the National Assembly;

(c) the members of staff of HPW who immediately before that date have a contract of employment with HPW and who are dealing wholly or mainly with the quality assurance of nursing and midwifery courses either on behalf of the National Assembly or the Nursing and Midwifery Council will be treated as transferred from HPW and employed by the National Assembly.

Transfer of all property and records

5. On 1 April 2006—

(a) subject to sub-paragraphs (b) and (c) all property will transfer to the National Assembly;

(b) the lease referred to in the Schedule to this Order will transfer to the National Assembly;

(c) the records held by HPW in relation to the exercise of the function of student awards given under section 63 of the Health Services and Public Health Act 1968(**5**) will be transferred to Bro Morgannwg NHS Trust.

Enforceability of rights and transfer of liabilities

6.—(1) Any right that was, immediately before 1 April 2006 enforceable by or against HPW is transferred to the National Assembly.

(2) Any liability arising from the exercise of its functions that was, immediately before 1 April 2006 enforceable against HPW, is transferred to the National Assembly.

Winding up of the affairs of Health Professions Wales

7.—(1) The National Assembly must take such action as may be necessary for the winding up of the affairs of HPW including the preparation of the outstanding accounts of HPW.

(2) The National Assembly must send the statement of accounts to the Auditor General for Wales before the 1 October 2006.

(3) The Auditor General must—

(a) examine and certify accounts submitted to him under paragraph (2); and

(b) lay before the National Assembly a copy of them as certified together with a report on them.

(**4**) S.I. 2004/550 (W.54).
(**5**) 1968 c. 46.