WELSH STATUTORY INSTRUMENTS

2003 No. 148 (W.18)

NATIONAL HEALTH SERVICE, WALES

The Local Health Boards (Establishment) (Wales) Order 2003

Made - - - -	*29th January 2003*
Coming into force - -	*10th February 2003*

The National Assembly for Wales, in exercise of the powers conferred by sections 16BA, subsections (1), (2) and (3) and 126(4) of the National Health Service Act 1977(**1**), and Schedule 5B, paragraphs 1 and 2 to that Act, which are exercisable by it in relation to Wales (**2**), makes the following Order—

Title, commencement and extent

1.—(1) This Order may be cited as the Local Health Boards (Establishment) (Wales) Order 2003 and shall come into force on 10th February 2003.

(2) This Order applies to Wales only.

Interpretation

2. In this Order—

"the 1977 Act" ("*Deddf 1977*") means the National Health Service Act 1977;

"establishment date" ("*dyddiad sefydlu*") means 10th February 2003;

"Local Health Board area" ("*ardal Bwrdd Iechyd Lleol*") means the area of Wales for which a Local Health Board is established;

"operational date" (dyddiad gweithredu") has the meaning assigned to it in paragraph 1(2) of Schedule 5B of the National Health Service Act 1977 and;

"principal local government area" (*prof ardal llywodraeth leol*") means a principal local government area in Wales as set out in Parts I and II of Schedule 4 to the Local Government Act 1972(**3**).

(**1**) 1977 c. 49, as amended. The relevant amendments for the purpose of this Order are those made by section 6 of and Schedules 4 and 5 to the National Health Service Reform and Healthcare Professions Act 2002 (2002 c. 17).

(**2**) By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), as read with section 40 of the National Health Service Reform and Healthcare Professions Act 2002.

(**3**) 1972 c. 70. Parts I and II of Schedule 4 were substituted by the Local Government (Wales) Act 1994 (1994 c. 19).

Establishment of Local Health Boards

3. There are hereby established, with effect from the establishment date, the Local Health Boards listed in the Schedule to this Order which shall be called the names assigned to them in that Schedule.

Nature of Local Health Boards

4. Each Local Health Board is established for the purposes set out in section 16BA (1) of the 1977 Act.

Local Health Board areas

5.—(1) Each Local Health Board area shall be, and shall have the same boundaries as, the principal local government area assigned to it in the Schedule to this Order.

(2) If the principal local government area assigned to a Local Health Board under paragraph (1) above is varied, the Local Health Board area shall be varied accordingly.

(3) Paragraph (2) above does not apply to creation of a new principal local government area, abolition of an existing principal local government area or a merger of two or more principal local government areas.

Operational date and accounting date of Local Health Boards

6.—(1) The operational date of each Local Health Board shall be 1st April 2003.

(2) The accounting date of each Local Health Board shall be 31st March.

Limited functions before operational date

7. Between its establishment date and its operational date, each Local Health Board shall have the functions of—

(a) entering into NHS contracts;

(b) entering into other contracts including contracts of employment; and

(c) doing such other things as are reasonably necessary to enable it to begin to operate satisfactorily with effect from its operational date.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**4**)

D. Elis-Thomas
29th January 2003 The Presiding Officer of the National Assembly

(**4**) 1998 c. 38.