
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)

29th January 2003

D. Elis-Thomas
The Presiding Officer of the National Assembly

SCHEDULE

Article 3 Article 5

Local Health Board names and principal local government areas for which they are established

<i>Names of Local Health Boards established under article 3</i>	<i>Principal local government area for which the Local Health Board is established</i>
1. Anglesey Local Health Board	Anglesey
2. Gwynedd Local Health Board	Gwynedd(5)
3. Cardiff Local Health Board	Cardiff
4. Ceredigion Local Health Board	Ceredigion(6)
5. Carmarthenshire Local Health Board	Carmarthenshire
6. Denbighshire Local Health Board	Denbighshire
7. Flintshire Local Health Board	Flintshire
8. Monmouthshire Local Health Board	Monmouthshire
9. Pembrokeshire Local Health Board	Pembrokeshire
10. Powys Local Health Board	Powys
11. Swansea Local Health Board	Swansea
12. Conwy Local Health Board	Conwy(7)
13. Blaenau Gwent Local Health Board	Blaenau Gwent
14. Bridgend Local Health Board	Bridgend
15. Caerphilly Local Health Board	Caerphilly
16. Merthyr Tydfil Local Health Board	Merthyr Tydfil
17. Neath Port Talbot Local Health Board	Neath and Port Talbot
18. Newport Local Health Board	Newport
19. Rhondda Cynon Taff Local Health Board	Rhondda Cynon Taff
20. Torfaen Local Health Board	Torfaen
21. Vale of Glamorgan Local Health Board	Vale of Glamorgan
22. Wrexham Local Health Board	Wrexham

(5) The name by which this area is described in Schedule 4 to the Local Government Act 1972 is “Caernarfonshire and Merionethshire”.

(6) The name by which this area is described in Schedule 4 to the Local Government Act 1972 is “Cardiganshire”.

(7) The name by which this area is described in Schedule 4 to the Local Government Act 1972 is “Aberconwy and Colwyn”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

The strategy document *Improving Health in Wales*, published by the National Assembly for Wales in February 2001, signalled the intention to abolish the existing five Health Authorities in Wales on 1st April 2003 and to create Local Health Boards to which the National Assembly may delegate functions of Health Authorities transferred to it pursuant to section 27 of the Government of Wales Act 1998 (1998 c. 38), and other functions of the National Assembly relating to the health service.

This Order establishes Local Health Boards as provided for in section 16BA of and Schedule 5B to the National Health Service Act 1977 (1977 c. 49) and sets out the areas for which they are established. The intention is that Local Health Board areas should have the same boundaries as local government areas in Wales. The Order also provides for interim functions of Local Health Boards between their establishment and operational dates and sets their accounting date.

Welsh Health Authorities are abolished by Order made pursuant to section 27 of the Government of Wales Act 1988.

In relation to the membership and constitution of Local Health Boards, see the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2003 (S.I.2003/149, (W.19)).

In relation to the functions delegated to Local Health Boards, see the Local Health Boards (Functions)(Wales) Regulations 2003 (S.I. 2003/150, (W.20)).