National Health Service (Wales) Act 2006

2006 CHAPTER 42

PART 10

PROTECTION OF NHS FROM FRAUD AND OTHER UNLAWFUL ACTIVITIES

Supplementary

157 Orders and regulations under this Part

(1) Any power under this Part to make an order or regulations is exercisable by statutory instrument.

(2) Subject to subsection (3) a statutory instrument made by virtue of this Part is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

(3) A statutory instrument containing an order under section 144(6) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(4) Any power under this Part to make an order or regulations—

(a) may make different provision for different cases or descriptions of case or different purposes or areas, and

(b) may make incidental, supplementary, consequential, transitory, transitional or saving provision.

158 Interpretation of this Part

(1) In this Part—

"authorised officer", in relation to any function, means (subject to subsection (5)) an officer of the Welsh Ministers authorised by them to act in exercise of the function,

"document" means anything in which information of any description is recorded,

"enactment" includes any provision of subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)), and references to enactments include enactments passed or made after the passing of this Act,

"employed" means employed whether under a contract of service or a contract for services or otherwise, and whether for remuneration or not,

"functions to which this Part applies" has the meaning given by section 143(3),

"health service provider" and "NHS contractor" have the meaning given by section 144,

"NHS body" must be construed in accordance with section 144,

"personal records" has the meaning given by section 12 of the Police and Criminal Evidence Act 1984 (c. 60),

"statutory health body" has the meaning given by section 144.

(2) References in this Part to the provision of services—

(a) in relation to statutory health bodies, health service providers or NHS contractors, include references to the provision of goods or facilities, and

(b) include references to the provision of services (or goods or facilities) wherever that takes place.

(3) References in this Part to the health service are references to the health service in Wales.

(4) In relation to information recorded otherwise than in legible form, any reference in this Part to the production of documents is a reference to the production of a copy of the information in legible form.

(5) Where functions of the Welsh Ministers are exercisable by a Special Health Authority—

(a) references in this Part to authorised officers include officers of the Special Health Authority authorised by or on behalf of the Special Health Authority to act in exercise of the functions, and

(b) references in this Part to information held or disclosed by or on behalf of the Welsh Ministers include information held or disclosed by or on behalf of the Special Health Authority.