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WELSH STATUTORY INSTRUMENTS

2009 No. 778 (W.66)

NATIONAL HEALTH SERVICE, WALES

**The Local Health Boards (Establishment
and Dissolution) (Wales) Order 2009**

<i>Made</i>	- - - -	<i>24 March 2009</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>25 March 2009</i>
<i>Coming into force</i>	- -	<i>1 June 2009</i>

The Welsh Ministers, in exercise of the powers conferred on them by sections 11, 203(9) and (10) and 204 of and paragraphs 11 and 12 of Schedule 2 to the National Health Service (Wales) Act 2006⁽¹⁾ make the following Order:

Title and commencement

1.—(1) The title of this Order is the Local Health Boards (Establishment and Dissolution) (Wales) Order 2009.

(2) This Order comes into force on 1 June 2009.

Interpretation

2. In this Order—

“dissolution date” (“*dyddiad diddymu*”) means 1 October 2009;

“establishment date” (“*dyddiad sefydlu*”) means 1 June 2009;

“Local Health Board area” (“*ardal Bwrdd Iechyd Lleol*”) means the area of Wales for which a Local Health Board under article 3 to this Order is established;

“operational date” (“*dyddiad gweithredol*”) has the meaning assigned to it in paragraph 11(2) of Schedule 2 to the National Health Service (Wales) Act 2006; and

“principal local government area” (“*prif 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(2).

Establishment of Local Health Boards

3. There are established, with effect from the establishment date, the six Local Health Boards listed in column 1 of Schedule 1 to this Order which have the names assigned to them in that Schedule.

Local Health Board areas

4.—(1) Each Local Health Board area consists of the principal local government areas assigned to it in column 2 of Schedule 1 to this Order.

(2) If the principal local government areas assigned to a Local Health Board under paragraph (1) above are varied, the Local Health Board area is to 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

5.—(1) The operational date of each Local Health Board established under article 3 to this Order is 1 October 2009.

(2) The accounting date of each Local Health Board established under article 3 to this Order is 31 March.

Limited functions before operational date

6. Between its establishment date and its operational date, each Local Health Board established under article 3 to this Order will 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.

Dissolutions

7. The twenty-one Local Health Boards listed in Schedule 2 to this Order which were established by the Local Health Boards (Establishment) (Wales) Order 2003(3) are dissolved with effect from the dissolution date.

Amendments to the Schedule to the Local Health Boards (Establishment) (Wales) Order 2003

8. The Local Health Boards (Establishment) (Wales) Order 2003 is amended in accordance with article 9.

(2) [1972 c. 70](#). Parts I and II of Schedule 4 to the Local Government Act 1972 were substituted by the Local Government (Wales) Act 1994.

(3) [S.I. 2003/148 \(W.18\)](#) as amended by [S.I. 2006/1790 \(W.186\)](#).

9. With effect from the dissolution date delete the Schedule to the Local Health Boards (Establishment) (Wales) Order 2003 (local health board names and principal local government areas for which they are established) and substitute the Schedule in Schedule 3 to this Order.

24 March 2009

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

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

SCHEDULE 1

Articles 3 and 4

Local Health Board Names and Principal Local Government Areas for which they are Established

<i>Column 1</i> <i>Names of Local Health Boards established under article 3</i>	<i>Column 2</i> <i>Principal local government areas for which the Local Health Board is established</i>
1 Aneurin Bevan Local Health Board	Newport, Torfaen, Monmouthshire, Caerphilly and Blaenau Gwent
2 Cwm Taf Local Health Board	Merthyr Tydfil and Rhondda Cynon Taf
3 Cardiff and Vale University Local Health Board	Cardiff and Vale of Glamorgan
4 Abertawe Bro Morgannwg University Local Health Board	Bridgend, Neath Port Talbot and Swansea
5 Hywel Dda Local Health Board	Carmarthenshire, Pembrokeshire and Ceredigion
6 Betsi Cadwaladr University Local Health Board	Flintshire, Denbighshire, Gwynedd, Wrexham, Conwy and Anglesey

SCHEDULE 2

Article 7

21 Local Health Boards dissolved with effect from 1 October 2009

<i>Local Health Boards established under article 3 of the Local Health Boards (Establishment) (Wales) Order 2003</i>	
1	Anglesey Local Health Board
2	Gwynedd Local Health Board
3	Cardiff Local Health Board
4	Ceredigion Local Health Board
5	Carmarthenshire Local Health Board
6	Denbighshire Local Health Board
7	Flintshire Local Health Board
8	Monmouthshire Local Health Board
9	Pembrokeshire Local Health Board
10	Swansea Local Health Board
11	Conwy Local Health Board
12	Blaenau Gwent Local Health Board
13	Bridgend Local Health Board
14	Caerphilly Teaching Local Health Board
15	Merthyr Tydfil Local Health Board

Local Health Boards established under article 3 of the Local Health Boards (Establishment) (Wales) Order 2003

16	Neath Port Talbot Local Health Board
17	Newport Local Health Board
18	Rhondda Cynon Taf Teaching Local Health Board
19	Torfaen Local Health Board
20	Vale of Glamorgan Local Health Board
21	Wrexham Local Health Board

SCHEDULE 3

Articles 8 and 9

“SCHEDULE

Articles 3 and 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 Powys Teaching Local Health Board	Powys”

EXPLANATORY NOTE

(This note is not part of the Order)

Article 3 of this Order establishes six new Local Health Boards as provided for in section 11 of the National Health Service (Wales) Act 2006 (2006 c. 42) and article 4 sets out the areas for which they are established. The Order also provides in articles 5 and 6 for interim functions of Local Health Boards between their establishment and operational dates and sets their accounting date.

Article 7 of this Order dissolves twenty-one out of the existing twenty-two Local Health Boards in Wales on 1 October 2009.

Articles 8 and 9 of this Order make amendments to the Schedule to the [Local Health Boards \(Establishment\) \(Wales\) Order 2003 \(2003/148 \(W.18\)\)](#) (“the 2003 Order”) to remove from that Schedule the names of twenty-one Local Health Boards dissolved under article 7 of this Order. Powys Teaching Local Health Board will continue in its current form as established under the 2003 Order and the amendments made under article 9 reflect this.

A regulatory impact assessment has been prepared in connection with this Order. A copy can be obtained from the Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.

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

In relation to the membership and constitution of Local Health Boards, see the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009 ([S.I. 2009/779 \(W.67\)](#)).