



Health and Social Care (Quality and Engagement) (Wales) Act 2020

2020 asc 1

PART 5

MISCELLANEOUS AND GENERAL

Constitution of NHS trusts

24 Vice-chairs of boards of directors of NHS trusts

- (1) Part 1 of Schedule 3 to the 2006 Act (constitution, establishment etc. of NHS trusts) is amended as follows.
- (2) In paragraph 3 (board of directors)—
 - (a) after sub-paragraph (1)(a) insert—
 - “(aa) if the Welsh Ministers consider it appropriate, a vice-chair appointed by them, and”, and
 - (b) omit “and” at the end of sub-paragraph (1)(a).
- (3) In paragraph 4 (regulations relating to the appointment etc. of the board of directors), in sub-paragraph (1)(a), after “chairman” insert “, the vice-chair”.
- (4) In paragraph 11 (pay and allowances of chairman and non-executive directors)—
 - (a) in sub-paragraph (1)(a), after “chairman” insert “, the vice-chair (if any)”, and
 - (b) in sub-paragraph (1)(b), after “chairman” insert “, the vice-chair (if any)”.

General

25 Regulations

- (1) A power to make regulations under this Act is to be exercised by statutory instrument.

Status: This is the original version (as it was originally enacted).

- (2) A power to make regulations under this Act includes power to make different provision for different purposes.
- (3) A statutory instrument containing regulations under section 28 that amends or repeals any enactment contained in primary legislation may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.
- (4) A statutory instrument containing regulations made under any other provision of this Act is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (5) In subsection (3), “primary legislation” means—
 - (a) an Act or Measure of the National Assembly for Wales;
 - (b) an Act of Parliament.

26 Interpretation

In this Act—

“the 2006 Act” (“*Deddf 2006*”) means the [National Health Service \(Wales\) Act 2006 \(c. 42\)](#);

“Local Health Board” (“*Bwrdd Iechyd Lleol*”) means a body established under section 11 of the 2006 Act;

“NHS trust” (“*ymddiriedolaeth GIG*”) means a body established under section 18 of the 2006 Act;

“regulations” (“*rheoliadau*”) means regulations made by the Welsh Ministers.

27 Minor and consequential amendments

Schedule 3 contains minor and consequential amendments.

28 Power to make transitional etc. provision

- (1) Regulations may, if the Welsh Ministers consider it necessary or appropriate for the purposes of this Act, make—
 - (a) supplementary, incidental or consequential provision;
 - (b) transitory, transitional or saving provision.
- (2) Regulations under this section may amend, repeal or revoke any enactment.
- (3) “Enactment” means a provision contained in any of the following, whenever enacted or made—
 - (a) an Act or Measure of the National Assembly for Wales;
 - (b) an Act of Parliament;
 - (c) subordinate legislation made under an Act or Measure referred to in paragraph (a) or (b).

29 Coming into force

- (1) This section and section 30 come into force on the day after the day this Act receives Royal Assent.
- (2) The other provisions of this Act come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.
- (3) An order under subsection (2) may—
 - (a) make different provision for different purposes;
 - (b) make transitional, transitory or saving provision.

30 Short title

The short title of this Act is the Health and Social Care (Quality and Engagement) (Wales) Act 2020.