
WELSH STATUTORY INSTRUMENTS

2008 No. 924 (W.88)

THE NATIONAL HEALTH SERVICE, WALES

**The Pontypridd and Rhondda National Health Service Trust
(Transfer of Staff, Property, Rights and Liabilities) Order 2008**

Made - - - - 28 March 2008

Coming into force - - 1 April 2008

The Welsh Ministers in exercise of powers conferred by section 203(9) and (10) and paragraph 29 of Schedule 3 to the National Health Service (Wales) Act 2006(1); after completion of statutory consultation as prescribed under paragraph 29(4) of Schedule 3 to that Act(2), hereby make this Order.

Title, Commencement and Interpretation

1.—(1) The title of this Order is the Pontypridd and Rhondda National Health Service Trust (Transfer of Staff, Property, Rights and Liabilities) Order 2008 and it comes into force on 1 April 2008.

(2) In this Order, unless the context otherwise requires;

“the old trust” (“*yr hen ymddiriedolaeth*”) means Pontypridd and Rhondda National Health Service Trust established on 4 January 1999

“the transfer date” (“*y dyddiad trosglwyddo*”) means the 1 April 2008;

“the new trust” (“*yr ymddiriedolaeth newydd*”) means the Cwm Taf National Health Service Trust established on 12 March 2008.

Transfer of employees to the transferee

2.—(1) Subject to paragraph (3), any person who immediately before the transfer date, was employed by the old trust shall have their contract of employment transferred to the new trust on the transfer date and that contract will have effect as if originally made between the person so employed and the new trust.

(2) Without prejudice to paragraph (1) above —

(1) 2006. c. 42.

(2) National Health Service Trusts (Consultation on Establishment and Dissolution) Regulations 1996, S.I.1996/563, which continues to have effect by virtue of paragraph 1(2) of Schedule 2 to the [National Health Service \(Consequential Provisions\) Act 2006. c.43.](#)

- (a) all the rights, powers, duties and liabilities under or in connection with a contract to which that paragraph applies will, by virtue of this article, be transferred to the new trust on the transfer date;
- (b) anything done before that date by, or in relation to, the old trust in respect of that contract or that employee, will be deemed from the transfer date to have been done by, or in relation to, the new trust.

(3) Paragraphs (1) and (2) are without prejudice to any right of any employee to terminate his or her contract of employment if a substantial change is made to his or her detriment in his or her working conditions, but no such right shall arise by reason only of the change in employer effected by this article.

Transfer of property, rights and liabilities

3. On the transfer date all the property, rights and liabilities of the old trust, not referred to in article 2 above, shall be transferred to the new trust, including without limitation -

- (a) the duty to prepare the outstanding accounts of the old trust and to perform all statutory duties relating to those accounts;
- (b) the trust property of the old trust listed in Schedule 1.
- (c) the charities of the old trust listed in Schedule 2.

Transfer of functions of the old trust to the new trust

4. With effect from the transfer date, all the functions of the old trust are transferred to the new trust.

28 March 2008

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

SCHEDULE 1

Article 3(b)

<i>Property</i>	<i>Tenure</i>	<i>Title number where applicable</i>
Pontypridd and Rhondda National Health Service Trust Hospital		
Dewi Sant	Freehold	WA745331
Llwynypia	Freehold	WA751195
Pontypridd & District	Freehold	WA744920
Royal Glamorgan	Freehold	WA631383
		WA630843
		WA962482
		CYM46243
Ysbyty George Thomas	Freehold	WA523391
		WA523398
Ysbyty Cwm Rhondda	Freehold	CYM69858
		CYM47332
		WA272586
Health Clinics/Centres		
Carnegie Clinic	Freehold	WA744912
Gilfach Goch Health Centre	Freehold	WA297230
Penygraig Clinic	Freehold	WA744916
Pontypridd Health Centre	Freehold	WA744918
Llwyn yr Eos Clinic	Freehold	WA157863
Maritime Mental Health Resource Centre	Freehold	WA337585
		WA504867
Talbot Green Health Centre	Freehold	WA570953
Tonypandy Health Centre	Freehold	WA744914
Tonyrefail Clinic	Freehold	WA744913
Tylorstown Health Centre	Freehold	WA466082
		WA559467
Trealaw Mental Health Resource Centre	Freehold	WA770734
		WA730588
Ynyswen Clinic	Freehold	WA744097

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

<i>Property</i>	<i>Tenure</i>	<i>Title number where applicable</i>
Ystrad Clinic	Freehold	WA214554
Other		
Central Processing Unit, Treorchy	Leasehold	
Units 20, 21 and 22 Caemawr Industrial Estate, Treorchy, CF24 6EQ	Leasehold	
Laundry and Associated Areas on former East Glamorgan Hospital site	Freehold	WA960091 WA745335
Former Tonteg Hospital site	Freehold	WA744919
11 Cedar Wood Drive, Tonyrefail, CF37 8JB	Freehold	CYM13913
6 Mayfield Place, Llantrisant, CF72 8QG	Freehold	CYM63433

SCHEDULE 2

Article 3(c)

The Pontypridd and Rhondda NHS Trust General Charitable Fund (including all subsidiary charities) — Charity Number 1049765

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the transfer of staff from Pontypridd and Rhondda National Health Service Trust to the Cwm Taf National Health Service Trust from the 1 April 2008.

This Order also provides for the transfer of all property, rights and liabilities of Pontypridd and Rhondda National Health Service Trust to be transferred to the Cwm Taf National Health Service Trust on 1 April 2008.