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**Changes to legislation:** National Health Service (Wales) Act 2006, Cross Heading: Staff is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 2

#### LOCAL HEALTH BOARDS

##### PART 1

##### CONSTITUTION AND MEMBERSHIP

##### *Staff*

- 7 (1) A Local Health Board may employ such officers as it considers appropriate.
- (2) A Local Health Board may—
- (a) pay its officers such remuneration and allowances, and
  - (b) employ them on such other terms and conditions,
- as it considers appropriate.
- (3) A Local Health Board must—
- (a) in exercising its powers under sub-paragraph (2), and
  - (b) otherwise in connection with the employment of its officers,
- act in accordance with regulations, and any directions given by the Welsh Ministers.
- (4) Before making any regulations under sub-paragraph (3), the Welsh Ministers must consult such bodies as they may recognise as representing persons who, in their opinion, are likely to be affected by the regulations.
- 8 (1) The Welsh Ministers may direct a Local Health Board—
- (a) to make the services of any of its officers available to another Local Health Board, or
  - (b) to employ any person who is or was employed by another Local Health Board and is specified in the direction.
- (2) Sub-paragraph (1) does not affect the generality of section 12.
- (3) Before they give a direction under sub-paragraph (1) the Welsh Ministers must—
- (a) consult the person whose services will be made available or who will be employed,
  - (b) satisfy themselves that the Local Health Board has consulted that person, or
  - (c) consult any such body as the Welsh Ministers may recognise as representing that person.
- (4) Sub-paragraph (2) does not apply in relation to a direction under sub-paragraph (1)
- (a) if the Welsh Ministers—
    - (a) consider it necessary to give the direction for the purpose of dealing temporarily with an emergency, and

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- (b) have previously consulted bodies recognised by the Welsh Ministers as representing the person whose services are to be made available about the giving of directions for that purpose.

9 In addition to making provision in relation to <sup>F1</sup>... Special Health Authorities, regulations <sup>F2</sup>... under paragraph 3(8) of Schedule 6 to [<sup>F3</sup>the National Health Service Act 2006] may also provide—

- (a) for the transfer of officers of one Local Health Board to another, and
- (b) for arrangements under which the officers of a Local Health Board are placed at the disposal of another Local Health Board or a local authority.

#### Textual Amendments

- F1** Words in Sch. 2 para. 9 omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 21 para. 39(a); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** Words in Sch. 2 para. 9 omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 21 para. 39(b); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** Words in Sch. 2 para. 9 substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 21 para. 39(c); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 201A-201C inserted by [2017 c. 23 s. 9](#)
- s. 201C(2) words substituted by [2018 c. 12 Sch. 19 para. 118\(2\)](#)
- s. 201C(4) inserted by [2018 c. 12 Sch. 19 para. 118\(3\)](#)
- Sch. 7 para. 1(2A) inserted by [2009 c. 21 s. 32\(3\)](#)