
STATUTORY INSTRUMENTS

2005 No. 2529

The NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) (Establishment and Constitution) Order 2005

Citation, commencement and interpretation

1.—(1) This Order may be cited as NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) (Establishment and Constitution) Order 2005 and shall come into force on 1st October 2005.

(2) In this Order—

“the Act” means the National Health Service Act 1977;

“the appropriate authority” means—

(a) in relation to England, the Secretary of State; and

(b) in relation to Wales, the National Assembly for Wales; and

“the Authority” means NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) established by this Order.

Establishment of the Authority

2. There is hereby established a Special Health Authority which shall be known as NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG).

Functions of the Authority

3.—(1) Subject to and in accordance with such directions as the appropriate authority may give to the Authority⁽¹⁾, the Authority shall so as to promote or secure the effective provision of services under the Act perform such functions in connection with —

(a) collecting, screening, analysing, processing and supplying blood, blood products, plasma, stem cells and other tissues to the health service;

(b) the preparation of blood components and reagents;

(c) facilitating, providing and securing the provision of services to assist tissue and organ transplantation;

(d) such other functions,

as the appropriate authority may direct.

(1) See, in particular, sections 16D, 17 and 18 of the National Health Service Act 1977 (c. 49); section 16D was inserted by section 12(1) of the 1999 Act and amended by sections 1(3), 3(1) and (2) of, and paragraphs 1 and 6(a) of Schedule 1 to, the 2002 Act; section 17 was inserted by section 12(1) of the 1999 Act and amended by section 67(1) of, and paragraph 5(1) and (3) of Schedule 5 to, the 2001 Act and section 1(3) of, and paragraphs 1 and 7 of Schedule 1 to, the 2002 Act; section 18 was amended by sections 2(1), 5(1) and 3(8) of, and paragraph 9(b) and (c)(ii) of Schedule 1 and Schedule 3 to, the 1995 Act, section 12(3) and (4) of the 1999 Act and sections 1(3), 3(1), (5)(a) and (b) and 37(2) of, and paragraphs 1 and 9 of Schedule 1 and Part 1 of Schedule 9 to, the 2002 Act.

Constitution of the Authority

4.—(1) The Authority shall consist of—

- (a) a chairman;
- (b) not more than eight members who are not officers of the Authority in addition to the chairman;
- (c) not more than eight members who are officers of the Authority including the persons who for the time being hold the office of chief executive, director of finance and medical director.

(2) The members mentioned in paragraph (1)(b) above shall include a person with particular experience suited to the interests of Wales.

Remuneration of members

5. The Authority is hereby specified for the purposes of paragraph 9(7)(b) of Schedule 5 to the Act (definition of “relevant authority” for the purposes of paying remuneration to members of certain Special Health Authorities).

Public meetings

6. The Public Bodies (Admission to Meetings) Act 1960(2) shall apply to the Authority.

Consequential Amendment Regulations

7. The amendments in the Schedule are made in consequence of the establishment of the Authority.

Signed by authority of the Secretary of State for Health

9th September 2005

Rosie Winterton
Minister of State
Department of Health

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

28th June 2005

D. Elis-Thomas
The Presiding Officer of the National Assembly

(2) 1960 c. 67; see paragraph 1(g) of the Schedule to the Act, which was inserted by paragraph 91 of Schedule 1 to the 1995 Act.
(3) 1998 c. 38.