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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force certain provisions of the Health Act 1999 in relation to Wales.

The Order provides for the commencement of provisions which—

- (a) extend the National Assembly's direction-making powers in relation to NHS Trusts (section 12);
- (b) simplify the powers to make NHS Trust establishment orders and clarify powers for NHS Trusts to provide new hospitals and facilities not previously managed by a Health Authority (section 13);
- (c) make amendments to the NHS Trust financial regime relating to income generation, capital and borrowing (sections 14 – 16);
- (d) introduce a new duty of quality so that Health Authorities and NHS Trusts put in place arrangements to monitor and improve the quality of health care for patients (section 18);
- (e) create a duty on Health Authorities to prepare plans for improving health and the provision of health care (section 28);
- (f) make detailed amendments to National Health Service legislation in consequence of the above and in relation to Health Authorities and the exercise of their functions (Schedule 4).