



National Health Service (Wales) Act 2006

2006 CHAPTER 42

PART 10

PROTECTION OF NHS FROM FRAUD AND OTHER UNLAWFUL ACTIVITIES

Disclosure notices

148 Code of practice relating to delegated functions

- (1) The Welsh Ministers may issue a code of practice relating to—
 - (a) the exercise of functions under section 145 or 146 by or on behalf of a Special Health Authority,
 - (b) procedures to be followed in relation to the disclosure (in accordance with sections 149 and 150) of information obtained by or on behalf of a Special Health Authority in the exercise of such functions.
- (2) The Welsh Ministers must keep the code under review and may from time to time—
 - (a) revise the whole or any part of the code, and
 - (b) issue a revised code.
- (3) Where the Welsh Ministers propose to issue a code of practice under this section they must—
 - (a) prepare a draft of the code, and
 - (b) consult such persons as they consider appropriate about the draft.
- (4) Where the Welsh Ministers propose to issue a revised code under this section which in their opinion would result in a substantial change in the code, they must—
 - (a) prepare a draft of the revised code, and
 - (b) consult such persons as they consider appropriate about the change.
- (5) Where, following consultation under subsection (3) or (4), the Welsh Ministers issue the code or revised code (whether in the form of the draft or with such modifications as they consider appropriate), it comes into force at the time when it is issued by the Welsh Ministers.

Changes to legislation: National Health Service (Wales) Act 2006, Section 148 is up to date with all changes known to be in force on or before 10 August 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](#)

- (6) A failure to observe any provision of a code or revised code issued under this section does not of itself make a person liable to any criminal or civil proceedings.
- (7) A code or revised code issued under this section is admissible in evidence in any criminal or civil proceedings.
- (8) Consultation undertaken by the Welsh Ministers before the commencement of this section is as effective for the purposes of this section as consultation undertaken after that time.

Changes to legislation:

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[View outstanding changes](#)

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\(3\)](#)