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WELSH STATUTORY INSTRUMENTS

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**2009 No. 2058 (W.177)**

**NATIONAL HEALTH SERVICE, WALES**

**The Public Health Wales National Health  
Service Trust (Establishment) Order 2009**

*Made* - - - - 23 July 2009  
*Coming into force* - - 1 August 2009

The Welsh Ministers, in exercise of the powers conferred on them by section 18(1) of and paragraphs 5 and 7 of Schedule 3 to the National Health Service (Wales) Act 2006<sup>(1)</sup>, and section 25 of the Welsh Language Act 1993<sup>(2)</sup>, and after completion of the consultation prescribed under section 18(3) of that Act, make the following Order:

**Title, commencement and interpretation**

1.—(1) The title of this Order is the Public Health Wales National Health Service Trust (Establishment) Order 2009 and it comes into force on 1 August 2009.

(2) In this Order—

“the Act” (“*y Ddeddf*”) means the National Health Service (Wales) Act 2006;

“establishment date” (“*dyddiad sefydlu*”) means 1 August 2009;

“operational date” (“*dyddiad g eithredol*”) has the meaning assigned to it in paragraph 5(5) of Schedule 3 to the Act;

“the trust” (“*yr ymddiriedolaeth*”) means the Public Health Wales National Health Service Trust established by article 2 of this Order.

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**Commencement Information**

**II** Art. 1 in force at 1.8.2009, see [art. 1\(1\)](#)

**Establishment of the trust**

2. There is established an NHS trust which is called the Public Health Wales National Health Service Trust or Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru.

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(1) 2006 c. 42.  
(2) 1993 c. 38.

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](http://legislation.gov.uk) editorial team to *The Public Health Wales National Health Service Trust (Establishment) Order 2009*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

**Commencement Information**

**I2** Art. 2 in force at 1.8.2009, see [art. 1\(1\)](#)

**Nature and functions of the trust**

**3.—**(1) The trust is established for the purpose specified in section 18(1) of the Act.

(2) The trust's functions are:

- (a) to provide to or in relation to the health service in Wales and manage a range of public health, health protection, healthcare improvement, health advisory, child protection and microbiological laboratory services and services relating to the surveillance, prevention and control of communicable diseases;
- (b) to develop and maintain arrangements for making information about matters related to the protection and improvement of health in Wales available to the public in Wales; to undertake and commission research into such matters and to contribute to the provision and development of training in such matters;
- (c) to undertake the systematic collection, analysis and dissemination of information about the health of the people of Wales in particular including cancer incidence, mortality and survival; and prevalence of congenital anomalies; and
- (d) to provide, manage, monitor, evaluate and conduct research into screening of health conditions and screening of health related matters.

**Commencement Information**

**I3** Art. 3 in force at 1.8.2009, see [art. 1\(1\)](#)

**Directors of the trust**

**4.** The trust has, in addition to the chairman, 6 non-executive directors and 5 executive directors.

**Commencement Information**

**I4** Art. 4 in force at 1.8.2009, see [art. 1\(1\)](#)

**Operational date and accounting date of the trust**

**5.—**(1) The operational date of the trust is 1 October 2009.

(2) The accounting date of the trust is 31 March.

**Commencement Information**

**I5** Art. 5 in force at 1.8.2009, see [art. 1\(1\)](#)

**Limited functions before operational date**

**6.** Between its establishment date and its operational date the trust has the functions—

- (a) of entering into NHS contracts;

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- (b) of entering into other contracts including contracts of employment; and
- (c) of doing such other things as are reasonably necessary to enable it to begin to operate satisfactorily with effect from its operational date.

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**Commencement Information**

**I6** Art. 6 in force at 1.8.2009, see [art. 1\(1\)](#)

23 July 2009

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

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## EXPLANATORY NOTE

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

This Order establishes the Public Health Wales National Health Service Trust, an NHS trust provided for in section 18 of the National Health Service (Wales) Act 2006. It also provides for the functions of the trust both before (article 6) and after (article 3) its operational date (the date on which it assumes all its functions) and it specifies the number of the directors of the trust (article 4) and the operational date and the accounting date of the trust (article 5).

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- art. 4 word substituted by [S.I. 2022/251 reg. 20\(b\)](#)
- art. 4 words inserted by [S.I. 2022/251 reg. 20\(a\)](#)