
WELSH STATUTORY INSTRUMENTS

2003 No. 2660 (W.256)(C.102)

NATIONAL HEALTH SERVICE, WALES

The Health (Wales) Act 2003
(Commencement No. 1) Order 2003

Made - - - - 14th October 2003

The National Assembly for Wales, in exercise of powers conferred on it by sections 8(2) and (3) and 10(2) of the Health (Wales) Act 2003⁽¹⁾ hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Health (Wales) Act 2003 (Commencement No. 1) Order 2003.

(2) In this Order—

“the Act” (“*y Ddeddf*”) means the Health (Wales) Act 2003;

“the 1977 Act” (“*Deddf 1977*”) means the National Health Service Act 1977⁽²⁾.

Appointed days for provisions relating to the Community Health Councils and Saving

2.—(1) Subject to paragraph (2) 20th October 2003 is the day appointed for the coming into force for all purposes of the following provisions of the Act—

(i) section 1 and Schedule 1;

(ii) paragraphs 3, 4, 5, 7, and 14 of Schedule 3 and section 7(1) in so far as it relates thereto; and

(iii) section 7(2) in so far as it relates to the provisions of Schedule 4 except the reference to section 22(4) of the National Health Service and Health Care Professions Act 2002.

(2) The provisions referred to in paragraph (1) are brought into force only in relation to Wales.

(3) Notwithstanding the repeal of Schedule 7 to the 1977 Act, the Community Health Council Regulations 1996⁽³⁾ and the National Health Service (Association of Community Health Councils) Regulations 1977⁽⁴⁾ shall continue to have effect.

(1) 2003 c. 4.

(2) 1977 c. 49.

(3) SI 1996/640 as amended by S.I.2000/479 (W.20).

(4) SI 1977/874.

Appointed days for provisions relating to the Wales Centre for Health

3.—(1) 20th October 2003 is the day appointed for the coming into force, for the purposes of making regulations only, of sections 2 and 3 of, and paragraph 10 of Schedule 2 to, the Act.

(2) 1st April 2005 is the day appointed for the coming into force for all remaining purposes of sections 2, 3 and 7(1) of the Act and Schedules 2 and 3 to the Act , except for paragraph 16 of Schedule 3.

Appointed day for provisions relating to Health Professions Wales and supplementary and general provisions

4. 20th October 2003 is the day appointed for the coming into force of sections 4, 5 and 6 of the Act.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5)

14th October 2003

D. Elis-Thomas
The Presiding Officer of the Assembly

EXPLANATORY NOTE

(This note is not part of the Order)

This is the first Commencement Order under the Health (Wales) Act 2003 (“the Act”).

Article 2 brings into force section 1 of, and Schedule 1 to the Act which relate to Community Health Councils in Wales. Councils established under section 20 of the National Health Service Act 1977 are to continue in existence and the National Assembly for Wales is given power to make regulations in respect of their functions. Additionally, the Assembly may establish a statutory body to advise and assist Community Health Councils with respect to the performance of their functions.

Community councils in England will continue in existence until the commencement of section 22 of the National Health Service Reform and Health Care Professions Act 2002.

Article 3 commences for the purposes of making regulations only (in respect of membership and functions), sections 2 and 3 of, and paragraph 10 of Schedule 2 to the Act, relating to the Wales Centre for Health. The Centre is to be established, with a view to undertaking functions relating to the protections and improvement of health in Wales, on 1st April 2005 when section 2 and 3 and Schedule 2 are commenced for all other purposes.

Included in the provisions commenced by Article 2 of the Order are provisions relating to Health Professions Wales, Sections 4 and 5 of the Act empower the National Assembly for Wales to establish a body known as Health Professions Wales and to make provision for the carrying out by Health Professions Wales functions in relation to health care professions and health care support.

The Order also commences consequential amendments and repeals.