

Status: Point in time view as at 01/04/2019.

Changes to legislation: National Health Service (Wales) Act 2006, SCHEDULE 10 is up to date with all changes known to be in force on or before 07 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)

SCHEDULES

SCHEDULE 10

Section 182

FURTHER PROVISION ABOUT COMMUNITY HEALTH COUNCILS

- 1 Each Community Health Council must—
- (a) represent the interests in the health service of the public in its district, and
 - (b) perform such other functions as may be conferred on it by regulations under paragraph 2.
- 2 Regulations may make provision about—
- (a) the membership of Councils^{F1} . . . ,
 - (b) the proceedings of Councils,
 - (c) the staff, premises and expenses of Councils,
 - (d) the discharge of any function of a Council by a committee of the Council or by a joint committee appointed with another Council,
 - (e) the appointment, as members of a committee or joint committee, of persons who are not members of the Council or Councils concerned,
 - (f) the consultation of Councils by Local Health Boards^{F2} ...^{F3}... and NHS trusts with respect to such matters, and on such occasions, as may be prescribed,
 - (g) the consideration by Councils of matters relating to the operation of the health service within their districts, and the giving of advice by Councils to Local Health Boards and NHS trusts on such matters,
 - (h) the preparation and publication of reports by Councils,
 - (i) matters to be included in any such report,
 - (j) the furnishing and publication by Local Health Boards and NHS trusts of comments on reports of Councils,
 - (k) the provision of information (including descriptions of information which are or are not to be provided) to Councils by Local Health Boards^{F2}...^{F3}... or NHS trusts,
 - (l) the provision of information (including descriptions of information which are or are not to be provided) by Councils to other persons (including other Councils),
 - (m) the provision by Councils on behalf of the Welsh Ministers of the independent advocacy services required to be provided under section 187,
 - (n) the functions to be exercised by Councils in addition to those exercisable otherwise than by virtue of this Schedule.

Textual Amendments

- F1** Words in Sch. 10 para. 2(a) repealed (1.4.2010) by [Health Act 2009 \(c. 21\)](#), ss. 19, 38, 40, Sch. 3 para. 16(2), [Sch. 6](#) (with [Sch. 3 para. 19](#)); [S.I. 2010/930](#), [art. 2](#)
- F2** Words in [Sch. 10 para. 2](#) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 21 para. 42\(2\)\(a\)](#); [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

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F3 Words in Sch. 10 para. 2 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 21 para. 42\(2\)\(b\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

[^{F4}2A Regulations made under paragraph 2(a) may make provision about—
(a) the election by members of a Council of a member to chair the Council, and
(b) the appointment by the Welsh Ministers of a member to chair the Council on an interim basis in cases where the member so elected is removed or suspended from office.]

Textual Amendments

F4 Sch. 10 para. 2A inserted (1.4.2010) by [Health Act 2009 \(c. 21\)](#), ss. 19, 40, [Sch. 3 para. 16\(3\)](#) (with para. 19); S.I. 2010/930, art. 2

3 (1) The Welsh Ministers may make regulations requiring—
(a) Local Health Boards,
^{F5}(b)
^{F6}(c)
(d) NHS trusts,
(e) local authorities,
(f) persons providing primary medical services, primary dental services or pharmaceutical services under this Act or the National Health Service Act 2006 (c. 41),
(g) persons providing general ophthalmic services under this Act, or
(h) persons providing piloted services (within the meaning of section 92(7) of this Act or section 134(7) of the National Health Service Act 2006 (c. 41)) or LP services (within the meaning of paragraph 1(7) of Schedule 7 to this Act or paragraph 1(7) of Schedule 12 to that Act),
to allow members of a Council authorised by or under the regulations to enter and inspect, for the purposes of any of the Council's functions, premises owned or controlled by those referred to in paragraphs (a) to (h).
(2) The Welsh Ministers may also make regulations requiring any other person who owns or controls premises where services are provided as mentioned in sub-paragraph (1) (f), (g) or (h) to allow members of a Council authorised by or under the regulations to enter and inspect the premises for the purposes of any of the Council's functions.
(3) The regulations may in particular make provision as to—
(a) cases and circumstances in which access must be permitted,
(b) limitations or conditions to which access must be subject.

Textual Amendments

F5 Sch. 10 para. 3(1)(b) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 21 para. 42\(3\)\(a\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

F6 Sch. 10 para. 3(1)(c) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 21 para. 42\(3\)\(b\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

4 The Welsh Ministers may by regulations—
(a) provide for the establishment of a body—

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- (i) to advise Councils with respect to the performance of their functions, and to assist Councils in the performance of their functions, and
 - (ii) to perform such other functions as may be prescribed, and
 - (b) provide for the membership, proceedings, staff, premises and expenses of that body.
- 5 The Welsh Ministers may pay to members of Councils and any body established under paragraph 4 such travelling and other allowances (including compensation for loss of remunerative time) as the Welsh Ministers may determine.

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