
STATUTORY INSTRUMENTS

1991 No. 1102

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The Health Promotion Authority
for Wales Constitution Order 1991**

<i>Made</i>	- - - -	<i>25th April 1991</i>
<i>Laid before Parliament</i>		<i>7th May 1991</i>
<i>Coming into force</i>	- -	<i>1st June 1991</i>

The Secretary of State for Wales, in exercise of powers conferred upon him by sections 11, 12(c) and 126(3) of, and paragraph 9(7)(b) of Schedule 5 to the National Health Service Act 1977((1)) and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Health Promotion Authority for Wales Constitution Order 1991 and shall come into force on 1st June 1991.

(2) In this Order, unless the context otherwise requires—

“the Authority” means the Health Promotion Authority for Wales;

“the 1987 Order” means the Welsh Health Promotion Authority (Establishment and Constitution) Order 1987((2)).

Continuation of the Welsh Health Promotion Authority

2. Notwithstanding the revocation by this Order of the 1987 Order and subject to article 3 of this Order, there shall continue to be established the special health authority known as the Welsh Health Promotion Authority, established by the 1987 Order.

(1) (1977 c. 49; section 11 was amended by the [Health Services Act 1980\(c.53\)](#), Schedule 1, paragraph 31; section 126(3) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) “the 1990 Act”); sub-paragraph (7) was inserted in paragraph 9 of Schedule 5 by the 1990 Act, Schedule 1, paragraph 7(2).

(2) S.I.1987/151.

Alteration of name of Welsh Health Promotion Authority

3. As from the commencement of this Order, the name of the Welsh Health Promotion Authority shall be changed to “the Health Promotion Authority for Wales”.

Functions of the Authority

4.—(1) Subject to and in accordance with such directions as the Secretary of State may give to the Authority, the Authority shall continue to perform in Wales the functions specified in paragraph (2) of this article and such other functions as the Secretary of State may direct the Authority to perform on his behalf.

(2) The functions referred to in paragraph (1) of this article are—

- (a) undertaking health promotion activity;
- (b) for that purpose planning and carrying out national or local programmes or other activities in co-operation with health authorities, Family Health Services Authorities, local authorities and local education authorities, voluntary organisations and other persons or bodies concerned with or having an interest in health promotion;
- (c) sponsoring research and evaluation in relation to health promotion;
- (d) assisting the provision of appropriate training in health promotion;
- (e) preparing, publishing or distributing material relevant to health promotion;
- (f) providing a national centre of information and advice on health promotion;
- (g) exercising the Secretary of State’s functions—
 - (i) under section 23(1) of the National Health Service Act 1977 with respect to arranging with any person or body (including a voluntary organisation) for that body to assist in providing any service under that Act;
 - (ii) under section 23(2) of that Act with respect to making available to certain persons or bodies (including voluntary organisations) facilities and services of persons employed in connection with such facilities;
 - (iii) under section 23(3) of that Act with respect to the agreement of terms and the making of payments by or to the Secretary of State in respect of arrangements made or facilities or services provided under section 23 of that Act,

insofar as such arrangements or services are made or provided in pursuance of the functions specified above.

Constitution of the Authority

5. The Authority shall consist of the following members, that is to say—

- (a) a chairman appointed by the Secretary of State;
- (b) seven members appointed by the Secretary of State;
- (c) the chief officer for the time being of the Authority;
- (d) the financial officer for the time being of the Authority.

Specification of the Authority as a relevant authority

6. The Authority is hereby specified for the purposes of sub-paragraph (7) of paragraph 9 of Schedule 5 to the National Health Service Act 1977 (definition of “relevant authority” for the purposes of paying remuneration to members of health authorities).

Revocation of the 1987 Order

7. The 1987 Order is hereby revoked.

25th April 1991

David Hunt
Secretary of State for Wales

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Welsh Health Promotion Authority (Establishment and Constitution) Order 1987 (“the 1987 Order”). The Welsh Health Promotion Authority, a special health authority established under the National Health Service Act 1977 to exercise functions in relation to health promotion in Wales, is continued in being, but with a new name and with a different constitution.

This Order provides in particular for the continuation of the Authority (article 2), for the change of its name to the Health Promotion Authority for Wales (article 3), for the functions of the Authority (article 4) and for its new constitution of a chairman and nine other members (article 5). Article 6 of this Order specifies the Authority as a special health authority the members of which may be remunerated as well as the chairman. Article 7 revokes the 1987 Order.