
WELSH STATUTORY INSTRUMENTS

2002 No. 325

Private and Voluntary Health Care (Wales) Regulations 2002

**PART I
GENERAL**

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” (“*y Ddeddf*”) means the Care Standards Act 2000;

“appropriate office” (“*swyddfa briodol*”) means in relation to an establishment—

- (a) if an office has been specified under paragraph (2) for the area in which the establishment is situated, that office;
- (b) in any other case, any office of the National Assembly;

“dentist” (“*deintydd*”) means a person registered in the dentists register under the Dentists Act 1984(1);

“establishment” (“*sefydliad*”) means an independent hospital, including an independent hospital in which treatment or nursing (or both) are provided for persons liable to be detained under the Mental Health Act 1983(2), or an independent clinic;

“general practitioner” (“*ymarferydd*”) means a medical practitioner who—

- (a) provides general medical services within the meaning of Part II of the NHS Act;
- (b) performs personal medical services in connection with a pilot scheme under the National Health Service (Primary Care) Act 1997(3); or
- (c) provides services which correspond to services provided under Part II of the NHS Act, otherwise than in pursuance of that Act;

“health care professional” (“*proffesionolyn gofal iechyd*”) means a person who is registered as a member of any profession to which section 60(2) of the Health Act 1999(4) applies, or who is a clinical psychologist or child psychotherapist and “health care profession” shall be construed accordingly;

“medical device” (“*dyfais feddygol*”) has the same meaning as in the Medical Devices Regulations 1994(5);

“medical practitioner” (“*ymarferydd meddygol*”) means a registered medical practitioner(6);

(1) 1984 c. 24.

(2) 1983 c. 20.

(3) 1997 c. 46.

(4) 1999 c. 8.

(5) S.I.1994/3017.

(6) See the Interpretation Act 1978 (c. 30), Schedule 1, as amended by the Medical Act 1983 (c. 54), section 56(1), Schedule 5, paragraph 18.

“midwife”(“*bydwraig*”) means a registered midwife(7) who has notified her intention to practise to the local supervisory authority in accordance with any rules made under section 14(1)(b) of the Nurses, Midwives and Health Visitors Act 1997(8);

“National Assembly” (“*Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“the NHS Act”(“*Deddf y GIG*”) means the National Health Service Act 1977(9);

“organisation”(“*corff*”) means a body corporate ;

“patient”(“*claf*”), in relation to an establishment , means a person for whom treatment is provided in or for the purposes of the establishment;

“patients' guide”(“*arweiniad y cleifion*”) means the guide compiled in accordance with regulation 6;

“practising privileges”(“*breintiau ymarfer*”), in relation to a medical practitioner, refers to the grant to a person who is not employed in an independent hospital of permission to practise in that hospital;

“registered manager” (“*rheolwr cofrestredig*”), in relation to an establishment, means a person who is registered under Part II of the Act as the manager of the establishment;

“registered person” (“*person cofrestredig*”), in relation to an establishment, means any person who is the registered provider or the registered manager of the establishment;

“registered provider” (“*darparydd cofrestredig*”), in relation to an establishment, means a person who is registered under Part II of the Act as the person carrying on the establishment;

“responsible individual” (“*unigolyn cyfrifol*”) shall be construed in accordance with regulation 9;

“specialist medical register” (“*cofrestr feddygol arbenigol*”) means the register of specialists kept and published by the General Medical Council in accordance with the European Specialist Medical Qualifications Order 1995(10);

“statement of purpose” (“*datganiad o ddiben*”) means the written statement compiled in accordance with regulation 5;

“treatment” (“*triniaeth*”) includes palliative care, nursing and listed services, within the meaning of section 2 of the Act(11).

(2) The National Assembly may specify an office controlled by it as the appropriate office in relation to establishments situated in a particular area of Wales.

(3) In these Regulations, a reference—

- (a) to a numbered regulation or Schedule is to the regulation in, or Schedule to, these Regulations bearing that number;
- (b) in a regulation or Schedule to a numbered paragraph, is to the paragraph in that regulation or Schedule bearing that number;
- (c) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

(4) In these Regulations, unless the contrary intention appears, references to employing a person include employing a person whether under a contract of service or a contract for services and references to an employee or to a person being employed shall be construed accordingly.

(7) See the Interpretation Act 1978, Schedule 1. A definition of “registered” in relation to midwives was inserted by the Nurses, Midwives and Health Visitors Act 1997 (c. 36), Schedule 7, paragraph 30.

(8) 1997 c. 24.

(9) 1977 c. 49.

(10) S.I. 1995/3208, as amended by S.I. 1997/2928, 1999/1373 and 3154.

(11) See section 2(7).

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