
EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order appoints 17th March 2003 as the day on which section 13 of the 2001 Act is to come into force in relation to Wales. Section 13 of the Act relates to intervention orders and inserts new sections 84A and B into the National Health Service Act 1977.

Section 13, when commenced, will enable the Assembly to intervene in specified categories of NHS body where it has concerns about the management of that body, its ability to perform its functions adequately or where there has been a catastrophic event.

Section 84A will enable the Assembly to make an intervention order where a NHS body to which the section applies is not performing one or more of its functions adequately or at all, or where there are significant failings in the way the body is being run. Before making an intervention order the Assembly will have to be satisfied that it is appropriate for it to do so.

Section 84B sets out the effect of an intervention order and the various forms the intervention may take. An intervention order may provide for the removal or suspension of members of the NHS body in question and for new individuals to be appointed in their place; can require a NHS body to make arrangements for some other person or body to perform that body's functions; can disapply or modify any legislative provision relating to the membership or procedure of the body subject to intervention, and can include directions to give full effect to an intervention.