
WELSH STATUTORY INSTRUMENTS

2004 No. 1607 (W.166)

NATIONAL HEALTH SERVICE, WALES

The Dyfed Powys Health Authority and Gwent Health Authority (Transfer of Trust Property) Order 2004

Made - - - - 23 June 2004

Coming into force - - 30 June 2004

The National Assembly for Wales, in exercise of powers conferred on it by section 92(1), (4) and 126(4) of the National Health Service Act 1977(1) having had regard to changes in the arrangements for the administration of the health service in the areas of the Dyfed Powys Health Authority and the Gwent Health Authority, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the Dyfed Powys Health Authority and Gwent Health Authority (Transfer of Trust Property) Order 2004 and comes into force on 30 June 2004.

(2) In this order —

“Dyfed Powys trust property” (“*eiddo ymddiriedolaeth Dyfed Powys*”) means the property specified in Schedule 1 hereto;

“Gwent trust property” (“*eiddo ymddiriedolaeth Gwent*”) means the property specified in Column 1 of Schedule 2 hereto.

Transfer of the Dyfed Powys trust property

2.—(1) On 1 July 2004 the Dyfed Powys trust property and any rights and liabilities arising therefrom(2) are to be transferred to the Velindre National Health Service Trust(3).

(2) In any trust instrument relating to the Dyfed Powys trust property, any reference to the name by which the trustees of the Dyfed Powys trust property are to be known is to be construed as a reference

(1) 1977 c. 49. Section 92 was amended by section 11(5) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), by paragraph 44 of Schedule 1 to the Health Authorities Act 1995 (c. 17) and by paragraph 28 of Schedule 4 to the Health Act 1999 (c. 8) (“the 1999 Act”); section 126(4) was amended by section 65(2) of the 1990 Act and by paragraph 37(6) of Schedule 4 to the 1999 Act. The functions of the Secretary of State under sections 92 and 126(4) of the National Health Service Act 1977 (“the 1977 Act”) were transferred to the National Assembly for Wales by the National Assembly (Transfer of Functions) Order 1999 S.I. 1999/672, article 2 and Schedule 1.

(2) See section 96 of the 1977 Act as amended by paragraph 29 of Schedule 4 to the 1999 Act which makes supplementary provisions regarding transfers of property under section 92 of the 1977 Act.

(3) The Velindre National Health Service trust was established under the Velindre National Health Service Trust (Establishment) Order 1993 S.I. 1993/2838 as amended by S.I. 1999/826 and S.I. 2002/442 (W.57).

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to Velindre National Health Service Trust and any reference to Dyfed Powys Health Authority in the name by which the charitable trust governing the trust property is to be known shall be construed as a reference to Velindre National Health Service Trust.

Transfer of the Gwent trust property

3.—(1) On 1 July 2004 the Gwent trust property and any rights and liabilities arising therefrom are to be apportioned and transferred to the Local Health Boards and National Health Service Trust as specified in Column 2 of Schedule 2 hereto**(4)**.

(2) In any trust instrument relating to the Gwent trust property, any reference to the name by which the trustees of the Gwent trust property are to be known is to be construed as a reference to the Local Health Board or the Velindre National Health Service Trust to which the Gwent trust property has been transferred and any reference to the Gwent Health Authority in the name by which the charitable trust governing the trust property is to be known shall be construed as a reference to the relevant Local Health Board or the Velindre National Health Service Trust.

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

23 June 2004

D. Elis-Thomas
The Presiding Officer of the National Assembly

(4) Local Health Boards were established under the Local Health Boards (Establishment) (Wales) Order 2003 [S.I. 2003/148 \(W.18\)](#).

(5) [1998 c. 38](#).

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SCHEDULE 1

Regulation 1

Dyfed Powys trust property

£29,957

SCHEDULE 2

Regulations 1 and 3

Gwent trust property

Column 1	Column 2
£124,011	
	Caerphilly Local Health Board £33,132
	Newport Local Health Board £27,061
	Torfaen Local Health Board £17,998
	Blaenau Gwent Local Health Board £16,893
	Monmouthshire Local Health Board £16,678
	Powys Local Health Board £ 9,272
	Velindre National Health Service Trust £ 2,977

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers (and makes related provision) to the Velindre National Health Service Trust, trust property of the former Dyfed Powys Health Authority and transfers (and makes related provision) to the Velindre National Health Service Trust and to the Blaenau Gwent, Caerphilly, Monmouthshire, Newport, Torfaen and Powys Local Health Boards, trust property of the former Gwent Health Authority.