
WELSH STATUTORY INSTRUMENTS

2009 No. 1511

The Local Health Boards (Directed Functions) (Wales) Regulations 2009

Exception to regulation 2(2)

3.—(1) A Local Health Board of origin continues to be responsible for the persons specified in paragraph (3) who have been usually resident in the area for which it is established, in the circumstances set out in paragraph (2).

(2) The circumstances are that —

(a) on or after 1 July 2007

(i) the Local Health Board of origin has made an arrangement in the exercise of its functions, or

(ii) a local authority has made an arrangement

by virtue of which a person to whom paragraph (3) applies is provided with services which consist of or include the provision of accommodation situated in the area of another Local Health Board or a Primary Care Trust; and

(b) the person is thereby living in the accommodation.

(3) This paragraph applies

(a) to a person who is under the age of 18 and

(i) is looked after by a local authority within the meaning of section 22(1) of the 1989 Act,

(ii) is a relevant child within the meaning of section 23A of the 1989 Act,

(iii) qualifies for advice and assistance under section 24(1A) or section 24(1B) of the 1989 Act,

(iv) is placed at a school in accordance with a statement of special educational needs made under section 324 of the Education Act 1996(1) that names the school, or

(v) requires accommodation to meet continuing care needs; and

(b) to a person under the age of 21 who was, immediately prior to his or her eighteenth birthday, a person within one of the sub-categories of sub-paragraph (a).

(4) The responsibility of a Local Health Board of origin under this regulation does not extend to its functions in relation to primary medical, primary dental, pharmaceutical and general ophthalmic services.

(5) In this regulation “Local Health Board of origin” (“*Bwrdd Iechyd Lleol gwreiddiol*”) means the Local Health Board which made the arrangement under sub-paragraph (2)(a)(i) or the Local Health Board which corresponds to the geographical area of the local authority which made the arrangement under sub-paragraph (2)(a)(ii).

Status: This is the original version (as it was originally made).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