



# Government of Wales Act 1998

## 1998 CHAPTER 38

### PART II

#### ASSEMBLY FUNCTIONS

##### *Other functions*

#### **27 Reform of Welsh health authorities**

- (1) The Assembly may by order make provision for the transfer to the Assembly of any or all of the functions of a Welsh health authority.
- (2) In this section “Welsh health authority” means—
  - (a) a Health Authority for an area in, or consisting of, Wales, or
  - (b) a Special Health Authority performing functions in respect only of Wales.
- (3) An order under subsection (1) relating to a Health Authority may provide for the transfer of any or all of the functions of the authority with respect to the whole, or any part, of the area for which the authority act.
- (4) If such an order provides for the transfer of all of the authority’s functions with respect to a part of that area, it shall also include provision—
  - (a) specifying the rest of that area as the new area for which the authority are to act, and
  - (b) specifying as the name by which the authority shall be known (in addition to the title “Health Authority”) such name as appears to the Assembly appropriately to signify the connection of the authority with the new area.
- (5) Where an order under subsection (1) transfers—
  - (a) all of the functions of a Health Authority with respect to the whole of the area for which the authority act, or
  - (b) all of the functions of a Special Health Authority,the Assembly may by order make provision for the abolition of the authority.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Subsection (7) applies where—
- (a) a Health Authority which act for an area are abolished by an order under subsection (5), or
  - (b) an order under subsection (1) relating to a Health Authority provides for the transfer of all of the functions of the authority with respect to a part of the area for which the authority act.
- (7) Where this subsection applies—
- (a) the duty imposed by section 8(1) and (5)(a) of the National Health Service Act 1977 (duty to establish Health Authorities covering whole of England and Wales) no longer requires there to be a Health Authority for the area mentioned in paragraph (a) of subsection (6), or the part mentioned in paragraph (b) of that subsection, but
  - (b) the duty imposed by section 20 of that Act (duty to establish community health councils covering the areas of all Health Authorities) includes a duty to establish one or more community health councils covering that area or part (whether or not together with the area, or part of the area, for which any Health Authority act).
- (8) An order under subsection (1) or (5) relating to a Welsh health authority may include provision for the transfer of staff of the authority and of any property, rights and liabilities to which the authority are entitled or subject.
- (9) An order under this section may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions in the form of amendments or repeals of enactments).
- (10) Nothing in this section limits any power conferred by the National Health Service Act 1977.