
WELSH STATUTORY INSTRUMENTS

2009 No. 1385

**The Public Health Wales National Health Service
Trust (Membership and Procedure) Regulations 2009**

PART I

General

Citation, commencement and interpretation

1.—(1) The title of these Regulations is the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 and come into force on 1 August 2009.

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

“the Act” (“*y Ddeddf*”) means the National Health Service (Wales) Act 2006;

“appointee” (“*penodai*”) means the chair or a non-executive director of the Trust;

“director” (“*cyfarwyddwr*”) in relation to the Trust includes its chair;

“establishment date” (“*dyddiad sefydlu*”) means 1 August 2009;

“executive director” (“*cyfarwyddwr gweithredol*”) and “non-executive director” (“*cyfarwyddwr anweithredol*”) have the meaning assigned to them in paragraph 3(3) of Schedule 3 to the Act;

“health service body” (“*corff gwasanaeth iechyd*”) means—

(a) a Strategic Health Authority, a Special Health Authority, a Primary Care Trust, an NHS trust, an NHS foundation trust, a Local Health Board or a PHS body as defined in section 139(6) of the National Health Service Act 2006 (1) and section 97(6) of the Act or a contractor which is treated as a health service body pursuant to regulation 10 of the National Health Service (Local Pharmaceutical Services etc) Regulations 2006(2);

(b) a Health Board, a Special Health Board or the Common Services Agency for the Scottish Health Service, respectively constituted under section 2, 10 and 12A of the National Health Service (Scotland) Act 1978(3);

(c) the Scottish Dental Practice Board constituted by Regulations having effect under section 4 of the National Health Service (Scotland) Act 1978;

(d) the Independent Regulator of NHS Foundation Trusts;

“Independent Regulator of NHS Foundation Trusts” (“*Rheoleiddiwr Annibynnol Ymddiriedolaethau Sefydledig GIG*”) means the body corporate continued in existence by section 31(1) of the National Health Service Act 2006;

“operational date” (“*dyddiad gweithredol*”) has the meaning assigned to it in paragraph 5(5) of Schedule 3 to the Act;

(1) 2006 c. 41.
(2) S.I.2006/552.
(3) 1978 c. 29.

“the 1990 Regulations” (“*Rheoliadau 1990*”) means the National Health Service Trusts (Membership and Procedure) Regulations 1990⁽⁴⁾

“the relevant committee” (“*y pwyllgor perthnasol*”) means a committee of an NHS trust appointed under either regulation 21 or regulation 22 whichever is appropriate;

“the Trust” (“*yr Ymddiriedolaeth*”) means the Public Health Wales National Health Service Trust established by the Public Health Wales National Health Service Trust (Establishment) Order 2009⁽⁵⁾;

“trade union” (“*undeb llafur*”) has the meaning assigned to it in section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992⁽⁶⁾.

(3) In regulation 24—

“public body” (“*corff cyhoeddus*”) includes—

- (a) any body established for the purposes of carrying on, under national ownership, any industry or part of any industry or undertaking; and
- (b) the governing body of any university, university college or college, school or hall of a university;

“securities” (“*gwarannau*”) means—

- (a) shares or debentures, whether constituting a charge on the assets of the company or other body or not, or rights or interests in any shares or such debentures, or
- (b) rights (whether actual or contingent) in respect of money lent to or deposited with any industrial and provident society or building society;

“shares” (“*cyfranddaliadau*”) means shares in the share capital of a company or other body or the stock of a company or other body.

(4) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation is a reference to the regulation bearing that number in these Regulations, and any reference in a regulation to a numbered paragraph is a reference to the paragraph bearing that number in that regulation.

⁽⁴⁾ S.I. 1990/2024.

⁽⁵⁾ S.I. 2009/2058 (W.177).

⁽⁶⁾ 1992 c. 52.