

2006 No. 17

**NATIONAL HEALTH
SERVICE, WALES**

**Directions to Cardiff Local Health
Board, Swansea Local Health Board
and Monmouthshire Local Health
Board (2006)**

Made

21 March 2006

Coming into force

1 April 2006

The National Assembly for Wales, acting in exercise of the powers conferred by sections 16BB(4) and 126(4) of the National Health Service Act 1977(1), makes the following Directions:

Commencement, interpretation and application

1.—(1) These Directions come into force on 1 April 2006 and are given to the following Local Health Boards—

- (a) Cardiff Local Health Board;
- (b) Swansea Local Health Board; and
- (c) Monmouthshire Local Health Board.

(2) In these Directions —

(1) 1977 c.49; section 16BB was inserted by the National Health Service Reform and Health Care Professions Act 2002 (c.17) (“the 2002 Act”), section 6(1) and amended by the Health and Social Care (Community Health and Standards) Act 2003 (c.43), section 184 and Schedule 11, paragraphs 7 and 10; section 126(3) and (4) was amended by the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), section 65(2), the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2, paragraph 27, the 1999 Act, Schedule 4, paragraph 37 and the Health and Social Care Act 2001 (c.15) (“the 2001 Act”), Schedule 5, paragraph 5(13)(b); The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

“relevant prisons” (*“carchardai perthnaso”*) means Her Majesty’s Prison Cardiff, Her Majesty’s Prison Swansea, Her Majesty’s Prison Usk and Her Majesty’s Prison Prescoed.

2.—(1) Subject to paragraph (2), a person who is detained in any of the relevant prisons, is, for the period of that detention, to be treated as usually resident at the address of that prison for the purposes of regulation 2(2) of the Local Health Board (Functions)(Wales) Regulations 2003(1);

(2) Sub-paragraph (1) does not apply in relation to the commissioning of psychiatric hospital care for the purposes of the removal of a person detained in prison to a hospital under sections 47 or 48 of the Mental Health Act 1983(2).

Signed on behalf of the National Assembly for Wales

21 March 2006

D. Elis-Thomas

The Presiding Officer of the National Assembly

(1) SI 2003/150 (W.20).

(2) 1983 c.20; section 47 was amended by the Crime (Sentences) Act 1997 (c.43), sections 49(3), 56(2) and Schedule 6; section 48 was amended by the Nationality, Immigration and Asylum Act 2002 (c.41), section 62(10)(a).

