



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 1607 (Cy.166)

2004 No. 1607 (W.166)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

**Gorchymyn Awdurdod Iechyd
Dyfed Powys ac Awdurdod Iechyd
Gwent (Trosglwyddo Eiddo
Ymddiriedolaeth) 2004**

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

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn trosglwyddo (ac yn gwneud darpariaeth gysylltiedig) eiddo ymddiriedolaeth yr hen Awdurdod Iechyd Dyfed Powys i Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre, ac mae'n trosglwyddo (ac yn gwneud darpariaeth gysylltiedig) eiddo ymddiriedolaeth yr hen Awdurdod Iechyd Gwent i Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre ac i Fyrddau Iechyd Lleol Blaenau Gwent, Caerffili, Sir Fynwy, Casnewydd, Tor-faen a Phowys.

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.

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Wedi'i wneud 23 Mehefin 2004
Yn dod i rym 30 Mehefin 2004

Made 23 June 2004
Coming into force 30 June 2004

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 92(1), (4) a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(a) ar ôl rhoi sylw i newidiadau yn y trefniadau ar gyfer gweinyddu'r gwasanaeth iechyd yn ardaloedd Awdurdod Iechyd Dyfed Powys ac Awdurdod Iechyd Gwent, drwy hyn yn gwneud y Gorchymyn canlynol:

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(a) 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:

Enwi, cychwyn a dehongli.

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Awdurdod Iechyd Dyfed Powys ac Awdurdod Iechyd Gwent (Trosglwyddo Eiddo Ymddiriedolaeth) 2004 a daw i rym ar 30 Mehefin 2004.

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) Yn y Gorchymyn hwn -

(2) In this order -

ystyr "eiddo ymddiriedolaeth Dyfed Powys" ("*Dyfed Powys trust property*") yw'r eiddo a bennir yn Atodlen 1;

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

ystyr "eiddo ymddiriedolaeth Gwent" ("*Gwent trust property*") yw'r eiddo a bennir yng Ngholofn 1 o Atodlen 2.

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

(a) 1977 p.49. Diwygiwyd adran 92 gan adran 11(5) o Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p. 19) ("Deddf 1990"), a pharagraff 44 o Atodlen 1 i Ddeddf Awdurdodau Iechyd 1995 (p.17) a chan baragraff 28 o Atodlen 4 i Ddeddf Iechyd 1999 (p. 8) ("Deddf 1999"); diwygiwyd adran 126(4) gan adran 65(2) o Ddeddf 1990 a chan baragraff 37(6) o Atodlen 4 i Ddeddf 1999. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 92 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 ("Deddf 1977") i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 O.S. 1999/672, erthygl 2 ac Atodlen 1.

(a) 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.

Trosglwyddo eiddo ymddiriedolaeth Dyfed Powys

2.-(1) Ar 1 Gorffennaf 2004 trosglwyddir eiddo ymddiriedolaeth Dyfed Powys ynghyd ag unrhyw hawliau a rhwymedigaethau sy'n codi ohono(a) i Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre(b).

(2) Mewn unrhyw offeryn ymddiriedolaeth sy'n ymwneud ag eiddo ymddiriedolaeth Dyfed Powys, rhaid dehongli unrhyw gyfeiriad at yr enw y mae ymddiriedolwyr eiddo ymddiriedolaeth Dyfed Powys i'w hadnabod wrtho fel cyfeiriad at Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre a rhaid dehongli unrhyw gyfeiriad at Awdurdod Iechyd Dyfed Powys yn yr enw y mae'r ymddiriedolaeth elusennol sy'n llywodraethu'r eiddo ymddiriedolaeth i'w hadnabod wrtho fel cyfeiriad at Ymddiriedolaeth Iechyd Gwasanaeth Iechyd Gwladol Felindre.

Trosglwyddo eiddo ymddiriedolaeth Gwent

3.-(1) Ar 1 Gorffennaf 2004 dosrannir eiddo ymddiriedolaeth Gwent ynghyd ag unrhyw hawliau a rhwymedigaethau sy'n codi ohono a'u trosglwyddo i'r Byrddau Iechyd Lleol ac Ymddiriedolaeth y Gwasanaeth Iechyd Gwladol fel a bennir yng Ngholofn 2 o Atodlen 2(c).

(2) Mewn unrhyw offeryn ymddiriedolaeth sy'n ymwneud ag eiddo ymddiriedolaeth Gwent, rhaid dehongli unrhyw gyfeiriad at yr enw y mae ymddiriedolwyr eiddo ymddiriedolaeth Gwent i'w hadnabod wrtho fel cyfeiriad at y Bwrdd Iechyd Lleol neu Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre y mae eiddo ymddiriedolaeth Gwent wedi cael ei drosglwyddo iddo a rhaid dehongli unrhyw gyfeiriad at Awdurdod Iechyd Gwent yn yr enw y mae'r ymddiriedolaeth elusennol sy'n llywodraethu'r eiddo ymddiriedolaeth i'w hadnabod wrtho fel cyfeiriad at y Bwrdd Iechyd Lleol perthnasol neu Ymddiriedolaeth Iechyd Gwasanaeth Iechyd Gwladol Felindre.

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(a) are to be transferred to the Velindre National Health Service Trust(b).

(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 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(c).

(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.

(a) *Gweler* adran 96 o Ddeddf 1977 fel y'i diwygiwyd gan baragraff 29 o Atodlen 4 i Ddeddf 1999 sy'n gwneud darpariaethau atodol ynghylch trosglwyddo eiddo o dan adran 92 o Ddeddf 1977.

(b) Sefydlwyd Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre o dan Orchymyn Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre (Sefydlu) 1993 O.S. 1993/2838 fel y'i diwygiwyd gan O.S. 1999/826 ac O.S. 2002/442 (Cy.57).

(c) Sefydlwyd Byrddau Iechyd Lleol o dan Orchymyn Byrddau Iechyd Lleol (Sefydlu) (Cymru) 2003 O.S. 2003/148 (Cy.18).

(a) *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.

(b) 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).

(c) Local Health Boards were established under the Local Health Boards (Establishment) (Wales) Order 2003 S.I. 2003/148 (W.18).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru yn unol ag adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

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

23 Mehefin 2004

23 June 2004

D. Elis-Thomas

Llywydd Cynulliad Cenedlaethol Cymru

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

ATODLEN 1

Eiddo ymddiriedolaeth Dyfed Powys

Rheoliad 1

£29,957

ATODLEN 2

Eiddo ymddiriedolaeth Gwent

Rheoliadau 1 a 3

Colofn 1	Colofn 2
£124,011	
	Bwrdd Iechyd Lleol Caerffili £33,132
	Bwrdd Iechyd Lleol Casnewydd £27,061
	Bwrdd Iechyd Lleol Tor-faen £17,998
	Bwrdd Iechyd Lleol Blaenau Gwent £16,893
	Bwrdd Iechyd Lleol Sir Fynwy £16,678
	Bwrdd Iechyd Lleol Powys £9,272
	Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Felindre £2,977

SCHEDULE 1

Dyfed Powys trust property

Regulation 1

£29,957

SCHEDULE 2

Gwent trust property

Regulations 1 and 3

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

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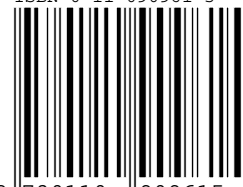
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