



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

ADRODDIAD GAN Y PWYLLGOR DEDDFAU

LEGISLATION COMMITTEE REPORT

The Commission for Health Improvement (Functions) (Wales) Regulations 2003

These contain provision as to the manner in which the Commission for Health Improvement is to operate. They re-enact, with some changes, regulations made in 2000.

Standing Order 11.5

The Assembly is invited to pay special attention to the following minor drafting defects. These will be appropriate for correction in a memorandum of corrections and have been acknowledged on behalf of the Minister.

Regulation 1(1) – “clinical governance review”

The reference to paragraph (d) of regulation 2 of the Functions Regulations is inappropriate as that provision has been revoked.

Regulation 2(4)

Whilst the wording “may be varied” in line 1 is appropriate in relation to sub-paragraph (a) it is not appropriate in relation to sub-paragraph (b). I.e. the intended effect is that if the Assembly determines that the work programme should be varied, the Commission must make the necessary variation.

Regulation 7(3)(c)

The reference to “paragraph (2)(c)” is inappropriate as there is no such provision.

Regulation 8(1)

Since the intention is to empower the Commission to make an “immediate report” where

they identify a matter which they consider should be brought to the attention of either the paragraph (2) bodies or the public, the wording at the end of sub-paragraph (a) should be “or” rather than “and”.

Regulation 9(1)

“national review” should be “national service review”

Regulation 21(1), (2)

“regulation 2(1)(f)” should be “regulation 2(f)”.

Observations

The following will also be appropriate for inclusion in a memorandum of corrections if so desired.

Regulation 1(3)

To accord with normal practice the equivalent Welsh term should be included in brackets after each defined term in the English text.

The definitions of “clinical governance review”/“clinical governance arrangements” and “national service review”/“National Assembly” are in reverse alphabetical order.

Regulation 11(a)

“an” would be clearer as “the”.

Regulation 16(2)(5)(a)

There are gender specific references here.

Regulation 22

It would be helpful to give the “W” number in the footnote.

Mick Bates AM
Chair, Legislation Committee

25 March 2003