1994 No. 112

HEALTH AND PERSONAL SOCIAL SERVICES

The North and West Belfast Health and Social Services Trust (Establishment) (Amendment) Order (Northern Ireland) 1994

Made . . . . . *25th March 1994*

Coming into operation . . *1st April 1994*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 10(1) of, and paragraphs 1, 3 and 3A of Schedule 3 to, the Health and Personal Social Services (Northern Ireland) Order 1991(**a**), and of all other powers enabling it in that behalf, hereby makes the following order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the North and West Belfast Health and Social Services Trust (Establishment) (Amendment) Order (Northern Ireland) 1994 and shall come into operation on 1st April 1994.

(2) In this order "the establishment order" means the North and West Belfast Health and Social Services Trust (Establishment) Order (Northern Ireland) 1993(**b**).

Amendment of the establishment order

2. The establishment order shall be amended in accordance with Articles 3 to 6.

Interpretation

3. In Article 1(2)—

(*a*) after the definition of "establishment date" there shall be inserted the following definition—

" "operational area" has the meaning assigned to it by paragraph 3A of Schedule 3 to the Order;" and

(*b*) after the definition of "operational date" there shall be inserted the following definition—

" "relevant functions" has the meaning assigned to it by Article 3(2) of the Health and Personal Social Services (Northern Ireland) Order 1994(**c**);".

(a) S.I. 1991/194 (N.I. 1); Article 10(1) was amended, and paragraph 3A of Schedule 3 was inserted, by S.I. 1994/429 (N.I. 2); paragraph 1 of Schedule 3 is cited for the definition of "an order"

(b) S.R. 1993 No. 352

(c) S.I. 1994/429 (N.I. 2); the relevant functions are specified in S.R. 1994 No. 64

Additional functions

4. In Article 3(2), at the end there shall be added—

"; and

(*c*) to exercise, on behalf of Health and Social Services Boards, such relevant functions as are so exercisable by the trust by virtue of authorisations for the time being in operation under Article 3(1) of the Health and Personal Social Services (Northern Ireland) Order 1994.".

Operational area of the trust

5. Immediately after Article 3 there shall be inserted the following Article—

"*Operational area of the trust*

3A. The operational area of the trust shall be—

(*a*) for the purposes of the statutory provisions specified in Part I of the Schedule, the following wards in the local government district of Belfast, that is to say Andersonstown, Ardoyne, Ballysillan, Beechmount, Bellevue, Castleview, Cavehill, Chichester Park, Cliftonville, Clonard, Crumlin, Duncairn, Falls, Falls Park, Fortwilliam, Glen Road, Glencairn, Glencolin, Highfield, Ladybrook, Legoniel, New Lodge, Shankill, St. Anne's, Upper Springfield, Water Works, Whiterock and Woodvale;

(*b*) for the purposes of the statutory provisions specified in Part II of the Schedule, Northern Ireland;

(*c*) for the purposes of the statutory provisions specified in Part III of the Schedule, Muckamore Abbey Hospital, 1 Abbey Road, Muckamore, Antrim, BT41 4SH and associated premises.".

Schedule

6. At the end of the establishment order there shall be added the following Schedule—

"SCHEDULE Article 3A

Operational Area

PART I

Statutory Provision	*Relevant Function*
Children and Young Persons Act (Northern Ireland) 1968(**a**)	All relevant functions
Health and Personal Social Services (Northern Ireland) Order 1972(**b**)	All relevant functions
Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(**c**)	All relevant functions except those under section 12(1)
Matrimonial Causes (Northern Ireland) Order 1978(**d**)	All relevant functions
Domestic Proceedings (Northern Ireland) Order 1980(**e**)	All relevant functions
Mental Health (Northern Ireland) Order 1986(**f**)	All relevant functions except those under Articles 4 to 9, 11 to 17, 26, 28(1) and (4)(*b*), 29(1), 42, 43, 44(1)(*a*) and (5), 45, 46(1) and 61(2)
Adoption (Northern Ireland) Order 1987(**g**)	All relevant functions
Disabled Persons (Northern Ireland) Act 1989(**h**)	All relevant functions

(**a**) 1968 c. 34 (N.I.)
(**b**) S.I. 1972/1265 (N.I. 14)
(**c**) 1978 c. 53
(**d**) S.I. 1978/1045 (N.I. 15)
(**e**) S.I. 1980/563 (N.I. 5)
(**f**) S.I. 1986/595 (N.I. 4)
(**g**) S.I. 1987/2203 (N.I. 22)
(**h**) 1989 c. 10

PART II

Statutory Provision	*Relevant Function*
Children and Young Persons Act (Northern Ireland) 1968	Relevant functions under Part VII and sections 82, 94(2), 99, 105(3), 142, 144(1) and (2), 145, 152, 154 to 159, 163(2) and 164
Health and Personal Social Services (Northern Ireland) Order 1972	Relevant functions under Articles 14A, 15, 36, 36A, 38(3) and (4), 99, 101, 101A and paragraphs 8 and 9 of Schedule 6
Chronically Sick and Disabled Persons (Northern Ireland) Act 1978	Relevant functions under section 2(*c*), (*d*) and (*f*)
Mental Health (Northern Ireland) Order 1986	Relevant functions under Articles 8(1), 15(3), 22(1), 28(1) and (5), 29(1) and (2), 42(4), 43(3), 44(5), 45(3), 79(3), 129(1) and (2), 131 and 132
Adoption (Northern Ireland) Order 1987	Relevant functions under Articles 11(1), 13(3)(*a*), 24, 31, 32, 59(4) and 66

PART III

Statutory Provision	*Relevant Function*
Chronically Sick and Disabled Persons (Northern Ireland) Act 1978	Relevant functions under section 12(1)
Mental Health (Northern Ireland) Order 1986	All relevant functions except those under Articles 18 to 26, 28(5)(*a*), 29(2), 44(1)(*b*) and 46(5)

".

Sealed with the Official Seal of the Department of Health and Social Services on 25th March 1994.

(L.S.) *John McGrath*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This order amends the North and West Belfast Health and Social Services Trust (Establishment) Order (Northern Ireland) 1993 (S.R. 1993 No. 352) ("the establishment order") with effect from 1st April 1994.

The new Article 3(2)(*c*) of the establishment order added by Article 4 extends the existing functions of the North and West Belfast Health and Social Services Trust ("the trust") to include the exercise of relevant statutory functions which may be delegated to that trust by Health and Social Services Boards by virtue of authorisations made under Article 3(1) of the Health and Personal Social Services (Northern Ireland) Order 1994 (S.I. 1994/429 (N.I. 2)).

The new Article 3A and the Schedule inserted in the establishment order by Articles 5 and 6 specify the operational areas within which the trust may exercise the delegated functions.