
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 426

Appointment of Consultants (Special Agencies) Regulations (Northern Ireland) 1998

Appointments to which the Regulations do not apply

5.—(1) The appointments referred to in regulation 3(2) to which these Regulations do not apply are those for which the person appointed is—

- (a) appointed to a joint appointment post;
- (b) to receive no remuneration from the special agency in respect of his tenure of the post and who is—
 - (i) a member of the academic staff of a university;
 - (ii) wholly or mainly engaged in research which requires his appointment to the staff of a special agency; or
 - (iii) a medical practitioner who has been appointed to a post in a hospice which is equivalent to a consultant post in the health service;
- (c) a person whose appointment in a post is to be for an initial period not exceeding six months—
 - (i) pending the appointment of a permanent postholder;
 - (ii) where the permanent holder of that post is unable to carry out his duties by reason of illness or because of other absence; or
 - (iii) where a special agency considers for some other reason that such an appointment is necessary; and in each case in respect of whom any further period of employment in that post is to be for a period not exceeding six months and to be subject to prior consultation with the Specialty Adviser of the relevant Specialist Advisory Committee of the Northern Ireland Council for Postgraduate Medical and Dental Education and to the satisfactory performance of the duties of the post during the initial period;
- (d) transferred from employment as a consultant—
 - (i) by a special agency to another consultant post with that special agency; or
 - (ii) by a Health and Social Services Trust or Health and Social Services Board to a consultant post with a special agency;where the employment of the officer would otherwise be terminated by reason of redundancy;
- (e) a person whose employment is transferred from one special agency to another special agency without any significant alteration in the duties of the post as part of a local reorganisation of the health and personal social services.

(2) In this regulation—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) “employment” includes part-time employment, whether or not the person is also employed by another special agency, Health and Social Services Trust or Health and Social Services Board and “employed” shall be construed accordingly;
- (b) “remuneration” does not include any distinction award or any amount paid by the employer towards the defrayment of expenses involved in the carrying out of the duties of the post required by the appointment.