

1970 No. 746

MEDICINES

The Medicines Commission and Committees Regulations 1970

<i>Made</i>	- - -	11th May 1970
<i>Laid before Parliament</i>		21st May 1970
<i>Coming into Operation</i>		26th May 1970

The Secretaries of State respectively concerned with health in England and in Wales, the Secretary of State concerned with health and with agriculture in Scotland, the Minister of Health and Social Services for Northern Ireland, the Minister of Agriculture, Fisheries and Food and the Minister of Agriculture for Northern Ireland, acting jointly, in exercise of their powers under paragraph 1 of Schedule 1 to the Medicines Act 1968(a), as having effect subject to the provisions of section 2(2) of and Schedule 1 to, the Transfer of Functions (Wales) Order 1969(b), and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation and commencement

1. These regulations may be cited as the Medicines Commission and Committees Regulations 1970 and shall come into operation on 26th May 1970.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

“the Act” means the Medicines Act 1968 ;

“the Commission” means the Medicines Commission established by section 2 of the Act ;

“the Ministers” has the same meaning as in the Act.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Terms of office of members of the Commission

3.—(1) In this regulation “retirement day” means 31st December 1971 or any 31st day of December occurring at two yearly intervals thereafter.

(2) Except as provided in the following paragraphs of this regulation, a member appointed to the Commission shall hold office until the second retirement day following his appointment and shall then vacate office.

(3) One half of the original members of the Commission, who shall be determined by the Commission, shall hold office until 31st December 1971 and shall then vacate office.

(4) Where two or more members (other than a member appointed as des-

(a) 1968 c. 67.
(c) 1889 c. 63.

(b) S.I. 1969/388 (1969 I, p. 1070).

cribed in paragraph (6) of this regulation) are appointed to the Commission at any one time and the total membership of the Commission is thereby increased, a number of the newly-appointed members, being in the circumstances described in column 1 of the Schedule to these regulations the number specified in column 2 thereof, shall vacate office on the first, instead of the second, retirement day following their appointment; and the Commission shall as soon as is practicably convenient following the appointment determine which members shall vacate office on the earlier date.

(5) Where the appointment of a single member to the Commission (other than a member appointed as described in paragraph (6) of this regulation) increases the total membership of the Commission to an even number, that member shall vacate office on the first, instead of the second retirement day following his appointment.

(6) A member appointed to the Commission to take the place of a member who during his term of office ceased to be a member by reason of death, resignation or otherwise shall hold office for the remainder of the term of office of the person whose place he has taken.

(7) A member of the Commission may resign office at any time by notice in writing to the Ministers.

Terms of office of members of Committees established under section 4 of the Act

4. A member of a committee established under section 4 of the Act shall hold and vacate office, and the chairman of such a committee shall hold and vacate office as chairman, under the terms of the instrument under which he is appointed, but such a member or chairman shall not be appointed for a period of more than 6 years and may resign office at any time by notice in writing to the Ministers.

Committees of the Commission

5.—(1) The Commission may, with the approval of the Ministers, appoint one or more committees for the purpose of reporting to them on any matter in relation to their functions under the Act except any matter included in the purposes for which a committee has been established under section 4 of the Act.

(2) A committee appointed by the Commission shall include at least one member who is a member of the Commission.

(3) A person appointed to a committee by reason of his membership of the Commission, who during his term of office as a member of the committee ceases to be a member of the Commission, and is not immediately re-appointed thereto, shall also cease to be a member of the committee; but nothing in this paragraph shall prevent him from being re-appointed to that committee.

(4) The Commission shall appoint one of the members of a committee to be chairman of that committee.

Sub-committees of Committees established under section 4 of the Act

6.—(1) A committee established under section 4 of the Act, or two or more such committees acting jointly may, with the approval of the Ministers or such of them by whom the committee or committees, as the case may be,

were established, appoint one or more sub-committees and shall appoint a member of each such sub-committee to be chairman of the sub-committee.

(2) The members of a sub-committee shall include at least one member of the committee, or of each of the committees, as the case may be, by which they were appointed.

(3) Subject to the provisions of paragraph (5) of this regulation, a member of a sub-committee shall hold office, and the chairman of a sub-committee shall hold office as chairman, for such term, not exceeding 6 years, as the committee or committees, as the case may be, by which he was appointed may determine and shall then vacate office.

(4) A member of a sub-committee may resign office at any time by notice in writing to the committee or committees, as the case may be, by which he was appointed.

(5) A person appointed as a member of a sub-committee by reason of his membership of a committee by which the sub-committee was appointed, who during his term of office as a member of the sub-committee ceases to be a member of such a committee and is not immediately re-appointed thereto, shall also cease to be a member of the sub-committee; but nothing in this paragraph shall prevent his re-appointment to the sub-committee.

R. H. S. Crossman,
Secretary of State for Social Services.

29th April 1970.

Given under my hand on 30th April 1970.

George Thomas,
Secretary of State for Wales.

Given under the seal of the Secretary of State for Scotland on 5th May 1970.

(L.S.) *William Ross,*
Secretary of State for Scotland.

Given under my hand on 11th May 1970.

W. K. Fitzsimmons,
Minister of Health and Social Services
for Northern Ireland.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th May 1970.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture, Fisheries and Food.

Given under my hand on 11th May 1970.

Phelim R. H. O'Neill,
Minister of Agriculture for Northern Ireland.

Regulation 3(4)

SCHEDULE

Column 1 Circumstances	Column 2 Number of newly-appointed members to retire on first retirement day following their appointment
Where the number of newly-appointed members is an even number.	Half the number of members.
Where the number of newly-appointed members is an odd number and the total membership of the Commission is by their appointment increased to an even number.	The number of members plus one divided by two.
Where the number of newly-appointed members is an odd number and the total membership of the Commission is by their appointment increased to an odd number.	The number of members less one divided by two.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for the terms of office of members of the Medicines Commission established by section 2 of the Medicines Act 1968 and Committees established under section 4 of that Act and for the appointment by the former of committees and by the latter of sub-committees.

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