

1989 No. 949

**NATIONAL HEALTH SERVICE, ENGLAND AND
WALES**

**The Special Hospitals Service Authority (Functions and
Membership) Regulations 1989**

<i>Made - - - -</i>	<i>8th June 1989</i>
<i>Laid before Parliament</i>	<i>9th June 1989</i>
<i>Coming into force</i>	
<i>Regulations 1 to 7</i>	<i>1st July 1989</i>
<i>Regulation 8</i>	<i>1st October 1989</i>

The Secretary of State for Health in exercise of powers conferred by sections 12, 13 and 18(1) of, and paragraphs 12 and 16 of Schedule 5 to the National Health Service Act 1977(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Special Hospitals Service Authority (Functions and Membership) Regulations 1989 and, except as provided in regulation 8, shall come into force on 1st July 1989.

(2) In these Regulations, unless the context otherwise requires—

“the Authority” means the Special Hospitals Service Authority established by the Special Hospitals Service Authority (Establishment and Constitution) Order 1989(b);

“member” means the chairman or another member of the Authority.

Functions of the Authority

2. The Authority shall perform on the Secretary of State's behalf the functions—

(a) of developing policies relating to the provision and management of the special hospitals for the period following the coming into force on 1st October 1989 of the Boards for Special Hospitals (Abolition) Order 1989(c);

(b) of developing systems and other arrangements with a view to the carrying on of these activities by the Authority after that date.

Appointment of members

3. The members of the Authority shall be appointed by the Secretary of State.

Tenure of office of members

4. Subject to regulation 5 of these Regulations and any provisions applied by these Regulations as to termination of and disqualification for membership, the tenure of office of members shall be for such period not exceeding four years as the Secretary of State shall specify on making the appointment.

(a) 1977 c.49.

(b) S.I. 1989/948.

(c) S.I. 1989/947.

Termination of tenure of office

5.—(1) A member may resign his office at any time during the period for which he was appointed by giving notice in writing to the Secretary of State.

(2) Where the Secretary of State is satisfied that it is not in the interest of the Authority or of the special hospitals that a person whom he has appointed as a member should continue to hold that office, he may forthwith terminate his tenure of office.

Application of regulations relating to membership and procedure

6. The provisions of regulation 5(4), (6) and (7) (termination of tenure of office), regulation 6 (eligibility for re-appointment), regulation 7 (disqualification for appointment), regulation 8 (cessation of disqualification), regulation 9 (election of vice-chairman), regulation 10 (powers of the vice-chairman), regulation 11 (appointment of committees and sub-committees), regulation 12 (arrangements for exercise of functions), regulation 13 (meetings and proceedings), regulation 14 (disability of chairman and members in proceedings on account of pecuniary interests), of, and Schedule 1 (rules as to meetings and proceedings of authorities) to, the National Health Service (Regional and District Health Authorities: Membership and Procedure) Regulations 1983(a) shall apply in relation to the Authority as if any reference in those provisions to an Authority included a reference to the Authority.

Reports and papers by the Authority

7. The Authority shall make reports to the Secretary of State in such manner and at such time, being at least once each year, as the Secretary of State may direct and shall furnish to the Secretary of State such information and papers as he may from time to time require.

Revocation of regulations

8. The Rampton Hospital Board (Functions and Membership) Regulations 1986(b), the Broadmoor Hospital Board (Functions and Membership) Regulations(c) and the Moss Side and Park Lane Hospitals Board (Functions and Membership) Regulations(d) are hereby revoked on 1st October 1989.

Signed by authority of the Secretary of State for Health

8th June 1989

D. Mellor
Minister of State, Department of Health

(a) S.I. 1983/315, amended by S.I. 1985/1067.
(d) S.I. 1986/2007.

(b) S.I. 1986/964.

(c) S.I. 1986/2005.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Directions are given in these Regulations by the Secretary of State to the special health authority known as the Special Hospitals Service Authority to exercise on his behalf certain of his functions under the National Health Service Act 1977 relating to the special hospitals (the hospitals for persons subject to detention under the Mental Health Act 1983 (c.20)). The Regulations also provide for the appointment and tenure of office of members of the Special Hospitals Service Authority and for the procedure of, and report to the Secretary of State by, that special health authority.

These Regulations also make revocations consequential on the abolition on 1st October 1989 of the special health authorities exercising functions in relation to the special hospitals before that date.