

1990 No. 1331

**NATIONAL HEALTH SERVICE, ENGLAND AND
WALES**

**The Regional and District Health Authorities
(Membership and Procedure) Regulations 1990**

Made - - - - - 2nd July 1990

Laid before Parliament 5th July 1990

*Coming into force in accordance with regulation 1(1)
for certain purposes 26th July 1990
for all other purposes 17th September 1990*

The Secretary of State for Health, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of powers conferred upon them by sections 16(1), 126(4) and 128(1) of, and paragraphs 12 and 12A of Schedule 5 to, the National Health Service Act 1977 (a), paragraphs 1, 2 and 3 of Schedule 1 to the National Health Service and Community Care Act 1990 (b) and of all other powers enabling them in that behalf, hereby make the following regulations:

**PART I
GENERAL**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 and—

- (a) shall come into force in relation to Regional Health Authorities except for regulations 2(2), 11(7) and 13(1)(f)(ii) on 26th July 1990;
- (b) shall come fully into force on 17th September 1990.

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

- “the 1977 Act” means the National Health Service Act 1977;
- “the 1990 Act” means the National Health Service and Community Care Act 1990;

(a) 1977 c.49; section 16(1) was amended by the Health Services Act 1980 (c.53), sections 1 and 2 and Schedule 1, paragraph 36 and by the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”) section 3(3); section 126(4) was amended by the 1990 Act section 65(2); section 128(1) was amended by the 1990 Act, section 26(2); paragraph 12 of Schedule 5 was amended by the 1990 Act, Schedule 1, paragraph 9; paragraph 12A of Schedule 5 was inserted by the 1990 Act Schedule 1, paragraph 10, Section 128(1) is cited for the definitions of “prescribed” and “Regulations”.

(b) 1990 c.19.

“appointing authority” means—

- (a) in relation to the chairman of an Authority, the Secretary of State; and
- (b) in relation to a member of an Authority, the person or persons responsible for his appointment in accordance with the Schedule;

“Authority” means a Regional or District Health Authority;

“health service body” means—

- (a) a health authority, a Family Health Services Authority or an NHS trust;
- (b) a Health Board, a Special Health Board, the Common Services Agency for the Scottish Health Service or an NHS trust respectively constituted under sections 2, 10, and 12A of the National Health Service (Scotland) Act 1978(a);
- (c) a State Hospital Management Committee constituted under section 91 of the Mental Health (Scotland) Act 1984(b);
- (d) The Dental Practice Board or Scottish Dental Practice Board;
- (e) The Public Health Laboratory Service Board; and
- (f) the National Radiological Protection Board established by section 1 of the Radiological Protection Act 1970(c);

“member” in relation to a health authority does not include its chairman and “members” and “membership” shall be construed accordingly;

“non-officer member” means a member who is not an officer member and who is appointed under paragraph 1(1)(b), 2(1)(b) or 3(1)(b) of the Schedule;

“officer member” means a member of a health authority who is a member by virtue of or appointed under paragraph 1(1)(c), (d) or (e), 2(1)(c), (d) or (e) or 3(1)(c), (d) or (e) of the Schedule;

“relevant Regional Health Authority” means the Regional Health Authority of which the region includes the district of the District Health Authority in question;

“the Schedule” means Part I of Schedule 1 to the 1990 Act;

“trade union” has the meaning assigned to it in section 28 of the Trade Union and Labour Relations Act 1974(d).

(3) In regulation 20—

“public body” includes any body established for the purpose of carrying on, under national ownership, any industry or part of any industry or undertaking, the governing body of any university, university college or college, school or hall of a university and the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907(e).

“securities” means—

- (a) shares or debentures, whether constituting a charge on the assets of the Company or other body or not, or rights or interests in any shares or such debentures, or
- (b) rights (whether actual or contingent) in respect of money lent to or deposited with, any industrial and provident society or building society.

“shares” means shares in the share capital of a company or other body or the stock of a company or other body.

(4) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation or a numbered Schedule is a reference to the regulation or Schedule bearing that number in these regulations, and any reference in a regulation to a numbered paragraph is a reference to the paragraph bearing that number in that regulation.

(a) 1978 c.29 section 2 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 7, paragraph 1 and by the 1990 Act section 28; section 10 was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 2; section 12A was inserted by the 1990 Act, section 31.

(b) 1984 c.36.

(c) 1970 c.46.

(d) 1974 c.52.

(e) 1907 c.xxxvi.

PART II

MEMBERSHIP

Membership of Authorities in England

2.—(1) The number of non-officer members to be appointed to an Authority in England shall be 5.

(2) One of those 5 shall, in the case of a Regional Health Authority, be the chairman of a Family Health Services Authority.

(3) The prescribed officer member of an Authority in England, for the purposes of paragraphs 1(1)(d) and 2(1)(d) of the Schedule, shall be the chief finance officer.

(4) The prescribed maximum number of officer members of an Authority in England other than the chief officer and the chief finance officer, for the purposes of paragraphs 1(1)(e) and 2(1)(e) of the Schedule, shall be 3.

Membership of District Health Authorities in Wales

3.—(1) The number of non-officer members of a District Health Authority in Wales shall be 5 except that, in the case of South Glamorgan Health Authority, it shall be 6.

(2) One of these 6, in the case of South Glamorgan Health Authority, shall be a second member who holds a post in a university with a medical or dental school.

(3) The prescribed officer members of a District Health Authority in Wales, for the purposes of paragraph 3(1)(d) of the Schedule, shall be—

- (a) the chief finance officer;
- (b) the chief administrative medical officer and director of public health medicine;
- (c) the chief administrative nursing officer.

(4) The prescribed maximum number of officer members of a District Health Authority in Wales, for the purposes of paragraph 3(1)(e) of the Schedule, other than the chief officer and those specified in paragraph (3) shall be 1.

University non-officer members of District Health Authorities

4. The prescribed District Health Authorities for the purposes of paragraph 2(3) of the Schedule or paragraph 2(3) of the Schedule as applied by paragraph 3(2) of the Schedule, shall be those specified in Schedule 1, Part I of which relates to England and Part II of which relates to Wales.

Persons to be regarded as non-officers

5. Where a person—

- (a) holds a post in a university with a medical or dental school;
- (b) would also, apart from this sub-paragraph, be regarded as an officer of an Authority; or
- (c) is employed by a Regional Health Authority as a Consultant, but works in one or more District Health Authorities,

his employment as an officer of the Authority shall not prevent him being appointed as a non-officer member of that Authority.

Joint members

6. Where more than one person is appointed jointly to a post in an Authority which qualifies the holder for officer membership or in relation to which an officer member is to be appointed, those persons shall become or be appointed as an officer member jointly, and shall count for the purposes of regulations 2 and 3 as one person.

Period of tenure of office of members

7.—(1) Subject to regulation 11, the tenure of office of a chairman or non-officer member of an Authority shall be for such period, not exceeding 4 years, as the appointing authority may specify on making the appointment.

(2) Subject to regulation 8 the tenure of office of an officer member of an Authority who is appointed shall be for such period as the appointing authority may specify on making the appointment.

Termination and suspension of tenure of office of officer members

8.—(1) An officer member of an Authority shall cease to hold office as member where he ceases to hold a post in the Authority or hold the same post in it as when he commenced his term of office.

(2) If the appointing authority is of the opinion that it is not in the interest of the Authority that an appointed officer member of an Authority should continue to hold office as member, the appointing authority shall forthwith terminate his tenure of office.

(3) If an officer member of an Authority is suspended from his post in the Authority he shall be suspended from performing his functions as member for the period of his suspension.

Eligibility for reappointment of officer members

9. An officer member of an Authority who has been appointed shall on the termination of the period of his tenure of office be eligible for reappointment.

Application of regulations 11 to 14

10. The provisions of regulations 11 to 14 shall not apply to officer members of an Authority.

Termination of tenure of office

11.—(1) The chairman or a member of an Authority may resign his office at any time during the period for which he was appointed by giving notice in writing to the appointing authority by which he was appointed.

(2) Where during his period of membership a member of an Authority is appointed to be the chairman of that Authority, his tenure of office as a member shall terminate when his appointment as chairman takes effect.

(3) If an appointing authority is of the opinion that it is not in the interests of the health service in the region or district of an Authority that a person whom it has appointed as the chairman or a member of that Authority should continue to hold that office, that appointing authority may, subject, if it is a relevant Regional Health Authority, to the consent of the Secretary of State, forthwith terminate his tenure of office.

(4) If a chairman or member of an Authority has not attended a meeting of that Authority for a period of six months, the Secretary of State shall forthwith terminate the tenure of office of that chairman or member unless he is satisfied that—

- (a) the absence was due to a reasonable cause, and
- (b) the chairman or member will be able to attend meetings of that Authority within such period as the Secretary of State considers reasonable.

(5) Where a person has been appointed to be the chairman or a member of an Authority—

- (a) if he becomes disqualified for appointment under regulation 13 the appointing authority shall forthwith notify him in writing of such disqualification; or
- (b) if it comes to the notice of the appointing authority that at the time of his appointment he was so disqualified, it shall forthwith declare that he was not duly appointed and so notify him in writing,

and, upon receipt of any such notification, his tenure of office, if any, shall be terminated and he shall cease to act as such chairman or member.

(6) If it appears to the Secretary of State that the chairman or a member of an Authority has failed to comply with regulation 20(1) (disclosure etc. on account of pecuniary interest) he may forthwith terminate that person's tenure of office.

(7) Where a member of a Regional Health Authority, who was appointed by virtue of regulation 2(2), ceases to be the chairman of a Family Health Services Authority the Secretary of State may terminate his appointment as a member of the Regional Health Authority.

(8) Where a member of a Regional or District Health Authority who was appointed by virtue of regulation 3(2) or paragraphs 1(2)(a) or 2(3) of the Schedule or paragraph 2(3) of the Schedule as applied by paragraph 3(2) of the Schedule ceases to hold a post in a university with a medical or dental school the appointing authority may, with the consent of the Secretary of State (unless he is the appointing authority), terminate his appointment as a member of the District Health Authority.

Eligibility for reappointment

12. Subject to regulation 13, the chairman or a member of an Authority shall, on the termination of his tenure of office, be eligible for reappointment.

Disqualification for appointment

13.—(1) Subject to regulation 14, a person shall be disqualified for appointment as the chairman or a member of an Authority if—

- (a) he has within the preceding five years been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
- (b) he has been adjudged bankrupt or has made a composition or arrangement with his creditors; or
- (c) he has been dismissed, otherwise than by reason of redundancy, from any paid employment with a health service body;
- (d) he has had his name removed, by a direction under section 46 of the 1977 Act, from any list prepared under Part II of the Act and has not subsequently had his name included in such a list; or
- (e) he is a person whose tenure of office as the chairman or a member of an Authority has been terminated pursuant to paragraph (3), (4) or (6) of regulation 11;
- (f) he is a chairman or a member of—
 - (i) any other Authority;
 - (ii) except in so far as regulation 2(2) provides to the contrary, any Family Health Services Authority;
 - (iii) any of the special health authorities established by virtue of the Authorities for London Post-Graduate Teaching Hospitals (Establishment and Constitution) Order 1982(a) and the Board of Governors of the Eastman Dental Hospital (Establishment and Constitution) Order 1984(b);
- (g) he is a chairman or director of an NHS trust;
- (h) he holds any paid appointment or office with a trade union which represents the interests of members who are employed by a health service body.
- (i) he is a member of a fund-holding practice recognised under section 14 of the 1990 Act.

(2) For the purposes of paragraph (1)(a) the date of conviction shall be deemed to be the date on which the ordinary period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its not being prosecuted.

(3) For the purposes of paragraph (1)(c) a person shall not be treated as having been in paid employment by reason only of his chairmanship or membership of a health service body.

(a) S.I. 1982/314; the relevant amending instrument is S.I. 1984/190.

(b) S.I. 1984/188.

Cessation of disqualification

14.—(1) Where a person is disqualified under regulation 13(1)(b) by reason of having been adjudged bankrupt—

- (a) if the bankruptcy is annulled on the ground that he ought not to have been adjudged bankrupt or on the ground that his debts have been paid in full, the disqualification shall cease on the date of the annulment;
- (b) if he is discharged the disqualification shall cease on the date of his discharge.

(2) Where a person is disqualified under regulation 13(1)(b) by reason of his having made a composition or arrangement with his creditors, if he pays his debts in full the disqualification shall cease on the date on which the payment is completed and in any other case it shall cease on the expiry of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.

(3) Subject to paragraph (4), where a person is disqualified under regulation 13(1)(c) (dismissed employees) he may, after the expiry of a period of not less than two years, apply in writing to the Secretary of State to remove the disqualification, and the Secretary of State may direct that the disqualification shall cease.

(4) Where the Secretary of State refuses an application to remove a disqualification no further application may be made by that person until the expiration of two years from the date of the application and this paragraph shall apply to any subsequent application.

(5) Where a person is disqualified under regulation 13(1)(e) (certain chairmen and members whose appointments have been terminated), the disqualification shall cease on the expiry of a period of two years or such longer period as the appointing authority specifies when terminating his period of office but the Secretary of State may, on application being made to him by that person or by that appointing authority, reduce the period of disqualification.

PART III

CONSTITUTION AND PROCEEDINGS

Appointment of vice-chairman

15.—(1) Subject to paragraph (2), the chairman and members of an Authority may appoint one of their number, who is not also an officer member of the Authority, to be vice-chairman, for such period, not exceeding the remainder of his term as a member of the Authority, as they may specify on appointing him.

(2) Any member so appointed may at any time resign from the office of vice-chairman by giving notice in writing to the chairman.

Powers of vice-chairman

16. Where the chairman of an Authority has died or has ceased to hold office, or where he has been unable to perform his duties as chairman owing to illness, absence from England and Wales or any other cause, references to the chairman in Schedule 2 shall, so long as there is no chairman able to perform his duties, be taken to include references to the vice-chairman.

Appointment of committees and sub-committees

17.—(1) Subject to such directions as may be given by the Secretary of State, an Authority may and, if directed by him, shall appoint committees of the Authority, or together with one or more other health authorities appoint joint committees consisting, in either case, wholly or partly of the chairman and members of the Authority or Authorities or wholly of persons who are not members of the Authority or Authorities in question.

(2) A committee or joint committee appointed under this regulation may, subject to such directions as may be given by the Secretary of State or the Authority or Authorities,

appoint sub-committees consisting wholly or partly of members of the committee or joint committee (whether or not they are members of the Authority or Authorities in question) or wholly of persons who are not members of the Authority or Authorities or the committee of the Authority or Authorities in question.

Arrangements for the exercise of functions

18. Subject to such directions as may be given by the Secretary of State and, in the case of a District Health Authority in England by the relevant Regional Health Authority, an Authority may make arrangements for the exercise, on behalf of the Authority, of any of its functions by a committee, sub-committee or joint committee appointed by virtue of regulation 17 or by an officer of the Authority, in each case subject to such restrictions and conditions as the Authority thinks fit.

Meetings and proceedings

19.—(1) The meetings and proceedings of an Authority shall be conducted in accordance with the rules set out in Schedule 2 and with Standing Orders made under paragraph (2).

(2) Subject to those rules, to regulation 20 and to such directions as may be given by the Secretary of State and, in the case of a District Health Authority in England, by the relevant Regional Health Authority, an Authority shall make, and may vary or revoke, Standing Orders for the regulation of its proceedings and business and provision may be made in such Standing Orders for the suspension of them.

(3) Subject to such directions as may be given by the Secretary of State, an Authority may, on its own in the case of a committee or sub-committee of the Authority or jointly with other Authorities in the case of a joint committee or sub-committee thereof, make, vary and revoke Standing Orders relating to the quorum, proceedings and place of meeting of such committee, joint committee or sub-committee but, subject to any such Standing Order, the quorum, proceedings and place of meeting shall be such as the committee, joint committee or sub-committee may determine.

Disability of chairman and members in proceedings on account of pecuniary interest

20.—(1) Subject to the following provisions of this regulation, if the chairman or a member has any pecuniary interest, direct or indirect, in any contract, proposed contract or other matter and is present at a meeting of the Authority at which the contract or other matter is the subject of consideration, he shall at the meeting and as soon as practicable after its commencement disclose the fact and shall not take part in the consideration or discussion of the contract or other matter or vote on any question with respect to it.

(2) The Secretary of State may, subject to such conditions as he may think fit to impose, remove any disability imposed by this regulation in any case in which it appears to him in the interests of the health service that the disability shall be removed.

(3) An Authority may, by Standing Orders made under regulation 19(2), provide for the exclusion of the chairman or a member from a meeting of the Authority while any contract, proposed contract or other matter in which he has a pecuniary interest, direct or indirect, is under consideration.

(4) Any remuneration, compensation or allowances payable to the chairman or a member by virtue of paragraph 9 of Schedule 5 to the 1977 Act (pay and allowances) shall not be treated as a pecuniary interest for the purpose of this regulation.

(5) Subject to paragraphs (2) and (6), the chairman or a member shall be treated for the purposes of this regulation as having indirectly a pecuniary interest in a contract, proposed contract or other matter if—

- (a) he, or a nominee of his, is a director of a company or other body, not being a public body, with which the contract was made or is proposed to be made or which has a direct pecuniary interest in the other matter under consideration; or
- (b) he is a partner of, or is in the employment of, a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the other matter under consideration;

and in the case of married persons living together the interest of one spouse shall, if known to the other, be deemed for the purpose of this regulation to be also an interest of the other.

(6) The chairman or a member shall not be treated as having a pecuniary interest in any contract, proposed contract or other matter by reason only—

- (a) of his membership of a company or other body if he has no beneficial interest in any securities of that company or other body;
- (b) of an interest in any company, body or person with which he is connected as mentioned in paragraph (5) which is so remote or insignificant that it cannot reasonably be regarded as likely to influence a member in the consideration or discussion of or in voting on, any question with respect to that contract or matter.

(7) Where the chairman or a member has an indirect pecuniary interest in a contract, proposed contract or other matter by reason only of a beneficial interest in securities of a company or other body, and the total nominal value of those securities does not exceed £5,000 or one-hundredth of the total nominal value of the issued share capital of the company or body, whichever is the less, and if the share capital is of more than one class, the total nominal value of shares of any one class in which he has a beneficial interest does not exceed one-hundredth of the total issued share capital of that class, this regulation shall not prohibit him from taking part in the consideration or discussion of the contract or other matter or from voting on any question with respect to it, without prejudice however to his duty to disclose his interest.

(8) This regulation applies to a committee or sub-committee and to a joint committee or sub-committee as it applies to an Authority and applies to a member of any such committee or sub-committee (whether or not he is also a member of an Authority) as it applies to a member of an Authority.

Revocation and amendment of Regulations

21.—(1) The National Health Service (Regional and District Health Authorities: Membership and Procedure) Regulations 1983^(a) are hereby revoked.

(2) The regulations specified in Schedule 3 shall have effect subject to the amendments specified in that Schedule.

2nd July 1990

K. Clarke
Secretary of State for Health

2nd July 1990

David Hunt
Secretary of State for Wales

(a) S.I. 1983/315.

SCHEDULE 1

regulation 4

DISTRICT HEALTH AUTHORITIES WITH A UNIVERSITY MEMBER

PART I

AUTHORITIES IN ENGLAND

Newcastle Health Authority
Leeds Eastern Health Authority
Leeds Western Health Authority
Leicestershire Health Authority
Nottingham Health Authority
Sheffield Health Authority
Cambridge Health Authority
Parkside Health Authority
Riverside Health Authority
Bloomsbury Health Authority
City and Hackney Health Authority
Hampstead Health Authority
Tower Hamlets Health Authority
Camberwell Health Authority
Lewisham and North Southwark Health Authority
West Lambeth Health Authority
Wandsworth Health Authority
Southampton and South West Hampshire Health Authority
Oxfordshire Health Authority
Bristol and Weston Health Authority
Central Birmingham Health Authority
Liverpool Health Authority
Central Manchester Health Authority
Salford Health Authority
South Manchester Health Authority

PART II

AUTHORITIES IN WALES

Clwyd Health Authority
East Dyfed Health Authority
Gwent Health Authority
Gwynedd Health Authority
Mid Glamorgan Health Authority
Pembrokeshire Health Authority
Powys Health Authority
South Glamorgan Health Authority
West Glamorgan Health Authority

SCHEDULE 2

regulation 19 (1)

RULES AS TO MEETINGS AND PROCEEDINGS OF AUTHORITIES

1. The first meeting of an Authority constituted under Part I of the Schedule shall be held on such day and at such place as may be fixed by the chairman and he shall be responsible for convening the meeting.

2.—(1) The chairman may call a meeting of the Authority at any time.

(2) If the chairman refuses to call a meeting after a requisition for that purpose, signed by at least one third of the whole number of members, has been presented to him, or if, without so refusing, the chairman does not call a meeting within seven days after such requisition has been presented to him, such one-third or more members may forthwith call a meeting.

(3) Before each meeting of an Authority, a notice of the meeting, specifying the business proposed to be transacted at it, and signed by the chairman or by an officer of the Authority authorised by the chairman to sign on his behalf shall be delivered to every member, or sent by post to the usual place of residence of such member, so as to be available to him at least three clear days before the meeting.

(4) Want of service of the notice on any member shall not affect the validity of a meeting.

(5) In the case of a meeting called by members in default of the chairman, the notice shall be signed by those members and no business shall be transacted at the meeting other than that specified in the notice.

3.—(1) At any meeting of an Authority the chairman, if present, shall preside.

(2) If the chairman and vice-chairman are absent, such member (who is not also an officer of the Authority) as the members present shall choose shall preside.

4. Every question at a meeting shall be determined by a majority of the votes of the chairman and members present and voting on the question and, in the case of any equality of votes, the person presiding shall have a second and casting vote.

5. The names of the chairman and members present at the meeting shall be recorded.

6. No business shall be transacted at a meeting unless at least one-third of the whole number of the chairman and members (including at least one member who is also an officer member of the Authority and one member who is not) are present.

7. The minutes of the proceedings of a meeting shall be drawn up and submitted for agreement at the next ensuing meeting of the Authority where they will be signed by the person presiding at it.

8. Where the office of member of an Authority is shared jointly by more than one person in pursuance of regulation 6—

- (a) either or both of those persons may attend and take part in meetings of the Authority;
- (b) if both are present at a meeting they should cast one vote if they agree;
- (c) in the case of disagreement no vote should be cast;
- (d) the presence of either or both of those persons should count as the presence of one person for the purposes of paragraph 6 of this Schedule.

SCHEDULE 3

regulation 21 (2)

AMENDMENT OF REGULATIONS WHICH APPLY TO SPECIAL HEALTH AUTHORITIES PROVISIONS RELATING TO MEMBERSHIP AND PROCEDURE

1. For regulation 9 (application of Regulations) of the Prescription Pricing Authority Regulations 1978 (a) there shall be substituted the following regulation—

“9. The provisions of regulation 11 (1), (2), (5) and (6) (termination of tenure of office), regulation 12 (eligibility for reappointment), regulation 13 (1)(a) to (e), (2) and (3) (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 17 (appointment of committees and sub-committees), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and Schedule 2 (rules as to meetings and proceedings) to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply in relation to the authority as if—

- (a) any reference therein to an Authority included a reference to the Authority;
- (b) any reference therein to the appointing authority were a reference to the Secretary of State.”.

2. For regulation 8 (application of Regulations) of the Central Blood Laboratories Authority Regulations 1982 (b) there shall be substituted the following regulation—

(a) S.I. 1978/332; the relevant amending instrument is S.I. 1983/315.
(b) S.I. 1982/1516; the relevant amending instrument is S.I. 1983/315.

"8. The provisions of regulation 11(2), (4), (5) and (6) (termination of tenure of office), regulation 13(1) (a) to (e), (2) and (3) (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 15 (appointment of vice-chairman), regulation 16 (powers of vice-chairman), regulation 17 (appointment of committees and sub-committees), regulation 18 (arrangements for the exercise of functions), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and Schedule 2 (rules as to meetings and proceedings) to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply as if-

- (a) any reference therein to an authority included a reference to the Authority;
- (b) any reference therein to the appointing authority were a reference to the Secretary of State; and
- (c) the words in brackets in paragraph 6 of Schedule 2 to those regulations were omitted."

3. For regulation 9 (application of Regulations) of the Rural Dispensing Committee Regulations 1983(a) there shall be substituted the following regulation-

"9. The provisions of regulation 11(4), (5) and (6) (termination of tenure of office), regulation 12 (eligibility for reappointment), regulation 13(1)(a) to (e), (2) and (3) (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 17 (appointment of committees and sub-committees), regulation 18 (arrangements for the exercise of functions), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and Schedule 2 apart from paragraphs 2(3), 6 and 8 to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply as if-

- (a) any reference therein to an Authority included a reference to the Committee;
- (b) any reference therein to the appointing authority were a reference to the Secretary of State; and
- (c) in regulation 11 (4) for the words "a period of 6 months" there were substituted the words "three successive meetings"."

4. For regulation 9 (application of Regulations) of the Mental Health Act Commission Regulations 1983(b) there shall be substituted the following regulation-

"9. The provisions of regulation 13(1)(a) to (e), (2) and (3) (disqualification for appointment) and regulation 14 (cessation of disqualification) of the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply as if-

- (a) any reference therein to an Authority included a reference to the Commission;
- (b) any reference therein to the appointing authority were a reference to the Secretary of State."

5. For regulation 9 (application of Regulations) of the National Health Service Training Authority Regulations 1983(c) there shall be substituted the following regulation-

"9. The provisions of regulation 13(1)(a) to (e), (2) and (3) (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 15 (appointment of vice-chairman), regulation 16 (powers of vice-chairman), regulation 17 (appointment of committees and sub-committees), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and paragraphs 1 to 7 of Schedule 2 to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply in relation to the authority as if-

- (a) any reference in those regulations to an authority included a reference to the Authority;
- (b) any reference in them to the appointing authority were a reference to the Secretary of State;
- (c) in regulation 15 (1) the words "who is not also an officer member of the Authority" were omitted;
- (d) in Schedule 2 paragraphs 3 (2) and 6 the words in brackets were omitted."

6. For regulation 4 (application of Regulations) of the Health Education Authority Regulations 1987(d) there shall be substituted the following regulation-

(a) S.I. 1983/314.

(b) S.I. 1983/894.

(c) S.I. 1983/1352; to which there are amendments not relevant to these Regulations.

(d) S.I. 1987/7.

"4. The provisions of regulation 11(4), (5) and (6) (termination of tenure of office), regulation 12 (eligibility for reappointment), regulation 13 (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 15 (appointment of vice-chairman), regulation 16 (powers of vice-chairman), regulation 17 (appointment of committees and sub-committees), regulation 18 (arrangements for the exercise of functions), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and Schedule 2 to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply in relation to the Authority as if-

- (a) any reference in them to an authority included a reference to the Authority;
- (b) any reference in them to the appointing authority were a reference to the Secretary of State."

7. For regulation 4 (application of Regulations) of the Welsh Health Promotion Authority Regulations 1987(a) there shall be substituted the following regulation-

"4. The provisions of regulation 11(4), (5) and (6) (termination of tenure of office), regulation 12 (eligibility for reappointment), regulation 13 (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 15 (appointment of vice-chairman), regulation 16 (powers of vice-chairman), regulation 17 (appointment of committees and sub-committees), regulation 18 (arrangements for the exercise of functions), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and Schedule 2 to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply in relation to the Authority as if-

- (a) any reference in them to an authority included a reference to the Authority.
- (b) any reference to the appointing authority were a reference to the Secretary of State."

8. For regulation 6 (application of Regulations) of the Disablement Services Authority Regulations 1987(b) there shall be substituted the following regulation-

"6. The provisions of regulation 11(4), (5) and (6) (termination of tenure of office), regulation 13(1) (a) to (e) and (h), (2) and (3) (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 16 (powers of vice-chairman), regulation 17 (appointment of committees and sub-committees), regulation 18 (arrangements for the exercise of functions), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and Schedule 2 to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply in relation to the Authority as if-

- (a) any reference therein to an authority included a reference to the Authority;
- (b) any reference therein to the appointing authority were a reference to the Secretary of State."

9. For regulation 6 (application of Regulations) of the Special Hospitals Service Authority (Functions and Membership) Regulations 1989(c) there shall be substituted the following regulation-

"6. The provisions of regulation 11(4), (5) and (6) (termination of tenure of office), regulation 12 (eligibility for reappointment), regulation 13 (disqualification for appointment), regulation 14 (cessation of disqualification), regulation 16 (powers of vice-chairman), regulation 17 (appointment of committees and sub-committees), regulation 18 (arrangements for the exercise of functions), regulation 19 (meetings and proceedings) and regulation 20 (disability on account of pecuniary interest) of and Schedule 2 (rules for meetings and proceedings) to the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 shall apply in relation to the authority as if-

- (a) any reference in them to an authority included a reference to the Authority;
- (b) any reference in them to the appointing authority were a reference to the Secretary of State;
- (c) in regulation 13(1)(f)(i) the word "other" were omitted."

(a) S.I. 1987/152.

(b) S.I. 1987/809.

(c) S.I. 1989/949; to which there are amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provisions concerning the membership and procedure of Regional and District Health Authorities established under the National Health Service Act 1977. They include in Part II provisions relating to the numbers of members and conditions of membership (regulations 2 to 6 and Schedule 1), the tenure of office of members and termination of tenure of office and eligibility for reappointment (regulations 7 to 12) and for disqualification for appointment and cessation of disqualification (regulations 13 and 14). In Part III provisions are included relating to vice-chairman (regulations 15 and 16), the appointment of and exercise of functions by committees and sub-committees (regulations 17 and 18) and meetings and proceedings including disability for taking part in proceedings on account of pecuniary interest (regulations 19 and 20 and Schedule 2).

In consequence of the revocation in regulation 21 (1) of the former membership and procedure Regulations amendments are made in Schedule 3 to Regulations which make provision for the membership and procedure of certain special health authorities by reference to the revoked Regulations.

