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## STATUTORY INSTRUMENTS

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### 1991 No. 809

#### The Health Boards (Membership and Procedure) (No.2) Regulations 1991

#### PART IV

#### PROCEDURE OF BOARDS

##### Interpretation

8. In this Part, unless the context otherwise requires, “committee” includes “sub-committee”.

##### Meetings and minutes

9.—(1) At every meeting of a Board, the chairman, if present, shall preside.

(2) If the chairman is absent from any meeting, the vice-chairman, if present, shall preside, and if the chairman and vice-chairman are both absent, the members present at the meeting shall elect from among themselves a person to act as chairman for that meeting who is not also an officer of the Board.

(3) All acts of, and all questions coming and arising before, a Board shall be done and decided by a majority of the members of the Board present and voting at a meeting of the Board and, in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

(4) Minutes of every meeting of a Board shall be forwarded to the Secretary of State not later than one week before the date of the next meeting of the Board after that to which they relate.

##### Conflict of interest

10.—(1) Subject to such exceptions and qualifications as may, with the approval of the Secretary of State, be specified in standing orders, if a member has any pecuniary or other interest, direct or indirect, in any contract or proposed contract (not being a contract for the provision of any of the services mentioned in Part II of the Act) or other matter, and is present at a meeting of the Board or of a committee of the Board at which the contract or other matter is the subject of consideration, he shall at the meeting, as soon as practicable after the commencement thereof, disclose the fact, and shall not take part in the consideration and discussion of, or vote on any question with respect to, the contract or other matter.

(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 national health service that the disability should be removed.

(3) Any remuneration, compensation or allowances payable to a chairman or other member by virtue of paragraphs 4, 5 or 13 of Schedule 1 to the Act shall not be treated as a pecuniary interest for the purpose of this regulation.

## Power to inake standing orders

11. Subject to such directions as may be given by the Secretary of State, each Board shall make, and may vary and revoke, standing orders for the regulation of the procedure and business of the Board and of any committee of the Board and in particular—

- (a) for the times and places of the meetings of the Board or committee which, in the case of the Board, shall be held not less often than once in every three months;
- (b) for due notice of the time and place of each meeting of the Board or of a committee of the Board and, subject to any exceptions which may be mentioned in the standing orders, of the business to be transacted thereat, to be given to members;
- (c) for the chairman of the Board to call a meeting of the Board at any time or on being required so to do on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting and signed by one-third of the whole number of members of the Board including at least two Board members who are not also officers of the Board, and for such a meeting to be held within fourteen days of receipt of the requisition, and to provide that no business shall be transacted at the meeting other than that specified in the requisition;
- (d) for recording the names of members present at a meeting of a board or of a committee of a Board;
- (e) for the drawing up and signing and approval of minutes recording the proceedings of meetings of the Board or of at committee of the Board including any decision or resolution of the Board;
- (f) for specifying the exceptions and qualifications referred to in regulation 10 (conflict of interest);
- (g) for the constitution and procedures of committees of the Board including the power of the Board to co-opt persons to committees;
- (h) for providing that no business shall be transacted at a meeting of the Board unless at least one-third of the whole number of members of the Board of whom at least two should be members who are not also officers of the Board are present thereat;
- (i) for the adjournment of a meecting of the Boad or of a committee of the Board to any other day, hour and place;
- (j) for the circumstances in which any member of the Board may be suspended from the Board or disqualified for taking any part in any business of the Board on reasonable cause shown.

## Revocations

12. There are hereby revoked—

- (a) the National Health Service (Health Boards: Membership, Procedure and Payment of Subscriptions) (Scotland) Regulations 1975(1);
- (b) the National Health Service (Health Boards: Membership, Procedure and Payment of Subscriptions) (Scotlnd) Amendment Regulations 1981(2); and
- (c) the Health Boards (Membership and Procedure) Regulations 1991(3)(c).

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(1) [S.I. 1975/197](#).

(2) [S.I. 1981/147](#).

(3) [S.I. 1991/571](#).