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STATUTORY INSTRUMENTS

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**1998 No. 1459 (S.77)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The Health Boards (Membership and Procedure)  
(No.2) Amendment Regulations 1998**

<i>Made</i>	- - - -	<i>9th June 1998</i>
<i>Laid before Parliament</i>		<i>15th June 1998</i>
<i>Coming into force</i>	- -	<i>6th July 1998</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2(10), 105(7) and 108(1) of, and by paragraph 11 of Schedule 1 to the National Health Service (Scotland) Act 1978(1), 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 Health Boards (Membership and Procedure) (No.2) Amendment Regulations 1998 and shall come into force on 6th July 1998.

(2) In these Regulations “the principal Regulations” means the Health Boards (Membership and Procedure) (No.2) Regulations 1991(2).

**Amendment to the principal Regulations**

2. In regulation 6 of the principal Regulations (disqualification) sub-paragraphs (b) and (c) of paragraph 1 are omitted.

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(1) 1978 c. 29; section 105(7), which was amended by the Health Services Act 1980 (c. 53) (“the 1980 Act”), Schedule 6, paragraph 5 and Schedule 7 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24, contains provisions relevant to the exercise of the statutory powers under which these Regulations are made; section 108(1) contains definitions of “prescribed” and “regulations”; and paragraph 11 of Schedule 1 was amended by the 1980 Act, Schedule 6, paragraph 7(4) and Schedule 7 and by the National Health Service and Community Care Act 1990 (c. 19), Schedule 5, paragraph 7.

(2) S.I. 1991/809, amended by S.I. 1993/1615.

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**Status:** This is the original version (as it was originally made).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

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St Andrew's House,  
Edinburgh  
9th June 1998

*Sam Galbraith*  
Minister for Health Scottish Office

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Health Boards (Membership and Procedure) (No.2) Regulations 1991 (“the principal Regulations”). Regulation 6(1)(b) of the principal Regulations, which disqualifies a person from being a member of a Health Board if 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, is omitted.

Also omitted is regulation 6(1)(c) of the principal Regulations which disqualifies a person from being a member of a Health Board if he is a member of a fund-holding practice.