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**STATUTORY INSTRUMENTS**

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**2000 No. 2961****NATIONAL HEALTH SERVICE, ENGLAND****The National Clinical Assessment Authority  
(Establishment and Constitution) Order 2000**

*Made* - - - - - *6th November 2000*

*Laid before Parliament* *6th November 2000*

*Coming into force* - - *27th November 2000*

The Secretary of State for Health in exercise of the powers conferred upon him by sections 11(1), (2) and (4) of, and paragraph 9(7)(b) 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 Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the National Clinical Assessment Authority (Establishment and Constitution) Order 2000 and shall come into force on 27th November 2000.

(2) In this Order “the Authority” means the National Clinical Assessment Authority established by this Order.

**Establishment of the National Clinical Assessment Authority**

2. There is hereby established a Special Health Authority which shall be known as the National Clinical Assessment Authority.

**Functions of the Authority**

3. Subject to and in accordance with such directions as the Secretary of State may give(b), the Authority shall perform—

- (a) such functions in connection with the assessment of the performance and conduct of doctors and dentists engaged in the health service, and
- (b) such other functions

as the Secretary of State may direct.

**Constitution of the Authority**

4. The Authority shall consist of:
- (a) a chairman;

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(a) 1977 c. 49; section 11 was amended by paragraph 31 of Schedule 1 to the Health Services Act 1980 (c. 53), by Schedule 10 to the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), by paragraph 2 of Schedule 1 to the Health Authorities Act 1995 (c. 17) (“the 1995 Act”) and by paragraph 6 of Schedule 4 to the Health Act 1999 (c. 8) (“the 1999 Act”); sub-paragraph (7) was inserted in paragraph 9 of Schedule 5 by paragraph 7(2) of Schedule 1 to the 1990 Act and was amended by paragraph 60(b) of Schedule 1 to the 1995 Act. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672.

(b) See, in particular sections 16D, 17 and 18 of the National Health Service Act 1977 (c. 49); sections 16D and 17 were inserted by section 12(1) of the 1999 Act. Section 18 was amended by Schedule 10 to the 1990 Act, by section 3(8) of the 1995 Act, by paragraph 9 of Schedule 1 to the 1995 Act and by section 12(3) of the 1999 Act.

- (b) not less than six and not more than fourteen members who are not officers of the Authority;
- (c) the person who for the time being holds the office of Medical Director of the Authority; and
- (d) not more than two other persons who are officers of the Authority.

#### **Remuneration of members**

5. The Authority is hereby specified for the purposes of paragraph 9(7)(b) of Schedule 5 to the National Health Service Act 1977 (definition of “relevant authority” for the purposes of paying remuneration to members of Health Authorities and certain Special Health Authorities).

#### **Public Meeting**

6. The Public Bodies (Admission to Meetings) Act 1960(a) shall apply to the Authority.

Signed by authority of the Secretary of State for Health.

*John Denham*  
Minister of State,  
Department of Health

6th November 2000

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#### **EXPLANATORY NOTE**

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

This Order provides for the establishment and constitution of a Special Health Authority, to be known as the National Clinical Assessment Authority (“the Authority”), to exercise such functions in connection with the assessment of the performance and conduct of doctors and dentists engaged in the health service and such other functions as the Secretary of State may direct.

Article 2 of the Order establishes the Authority, the functions of which are described in article 3 and are to be specified more particularly in directions given by the Secretary of State. Provision is also made for the constitution of the Authority (article 4), for the remuneration of members of the Authority (article 5) and for the admission of the public to meetings (article 6).

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(a) 1960 c. 67.

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