
STATUTORY INSTRUMENTS

2001 No. 3786

The National Health Service Trusts (Membership and Procedure) Amendment (No. 2) 2001 (England) Regulations

Amendment of regulation 9 of the principal Regulations

9.—(1) Regulation 9 of the principal Regulations (termination of tenure of office of chairman and non-executive directors) shall be amended as follows.

(2) At the beginning of paragraphs (3), (4) and (6), insert “Subject to paragraph (8),”.

(3) After paragraph (7), add the following paragraphs—

“(8) In the case of a Care Trust the Secretary of State shall not terminate the tenure of office of a chairman or non-executive director under paragraph (3), (4) or (6) unless he has consulted each relevant local authority.

(9) Where a relevant local authority notifies the Secretary of State in writing that they no longer wish a relevant director to continue as a director of the Care Trust the Secretary of State shall forthwith terminate the tenure of office of that director.

(10) In paragraph (9), a relevant director means a director nominated by the authority in accordance with regulation 4(5).

(11) If the chairman or a non-executive director of a Care Trust who is a member of a local authority is suspended from being a member of that authority by virtue of a decision of a case tribunal made under section 79 of the Local Government Act 2000⁽¹⁾ he shall be suspended from performing his functions as a member of the Care Trust for the period of the suspension.”.