
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 395

**The Local Commissioning Groups (Membership)
Regulations (Northern Ireland) 2009**

[^{F1}Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009 and shall come into operation on 22nd December 2009.

(2) In these regulations—

“area of the Local Commissioning Group” means such area as prescribed under section 9(2) of the Act for that Local Commissioning Group;

“the Act” means the Health and Social Care (Reform) Act (Northern Ireland) 2009;

“bankruptcy restrictions order” means an order made under Schedule 2A of the Insolvency (Northern Ireland) Order 1989(^{F2}) or Schedule 4A of the Insolvency Act 1986];

“charity trustee” means one of the persons having the general control and management of the administration of a charity;

[^{F3}“debt relief restrictions order” means an order made under Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 or Schedule 4ZB to the Insolvency Act 1986;]

“dental practitioner” means a person registered in the dentists’ register under the Dentists Act 1984(²);

[^{F4}“former health service body” means a Strategic Health Authority, a Primary Care Trust [^{F5}, the Health and Social Care Information Centre] or the Health Protection Agency;]

“general medical practitioner” means a person whose name is included on a Primary Medical Services Performers List prepared pursuant to regulation 4 of the Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004(³);

“health service body” means—

(a) any of the following within the meaning of the National Health Service Act 2006(⁴)—

(i) ^{F6} ...

(ii) a Special Health Authority;

(iii) ^{F6} ...

(iv) an NHS Trust;

(iva) [^{F7}a clinical commissioning group;

(ivb) [^{F8}NHS England];

(ivc) the National Institute for Health and Care Excellence;

(1) [S.I. 1989/2405 \(N.I. 19\)](#) The relevant amending instrument is [S.I. 2005/1455 \(N.I. 10\)](#)

(2) [1984 c.24](#)

(3) [S.R. 2004 No. 149](#)

(4) [2006 c.41](#)

Changes to legislation: *The Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009, Section 1 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (ivd) ^{F9} ...]
- (v) a Local Health Board;
- (b) any of the following within the meaning of the National Health Service (Scotland) Act 1978⁽⁵⁾–
- (i) a Health Board;
- (ii) a Special Health Board;
- (iii) the Common Services Agency for the Scottish Health Service;
- (iv) the Scottish Dental Practice Board;
- (c) the Wales Centre for Health established under section 2 of the Health (Wales) Act 2003⁽⁶⁾;
- (d) ^{F10}...⁽⁷⁾
- (e) the Care Quality Commission established under section 1 of the Health and Social Care Act 2008⁽⁸⁾;

“nurse” means a person whose name is included in the register maintained under article 5 of the Nursing and Midwifery Order 2001⁽⁹⁾;

“social worker” means a person whose name is included in a register maintained by the Northern Ireland Social Care Council under section 3(1)(a) of the Health and Personal Social Services Act (Northern Ireland) 2001⁽¹⁰⁾;

“trustee for a charity” is a person not being a charity trustee, in whom legal title to the property of the charity is vested.]

Textual Amendments

- F1** Regulations repealed (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(c), **Sch. 2 para. 11(e)** (with Sch. 2 para. 1(1)(c)(2)(b)); S.R. 2022/102, art. 2(c)
- F2** Words in reg. 1(2) inserted (21.4.2015) by The Insolvency (Northern Ireland) Order 2005 (Consequential Amendments) Order (Northern Ireland) 2015 (S.R. 2015/159), art. 1, **Sch. para. 49**
- F3** Words in reg. 1(2) inserted (7.3.2016) by The Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland) 2016 (S.R. 2016/108), art. 1, **Sch. para. 56(2)**
- F4** Words in reg. 1(2) inserted (1.4.2013) by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 141(2)(a)**
- F5** Words in reg. 1(2) inserted (1.2.2023) by The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), **Sch. para. 36(a)** (with reg. 3)
- F6** Words in reg. 1(2) omitted (1.4.2013) by virtue of The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 141(2)(b)(i)**
- F7** Words in reg. 1(2) inserted (1.4.2013) by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 141(2)(b)(ii)**

(5) 1978 c.29 section 2 was amended by paragraph 1 of Schedule 7 to the Health and Social Services and Social Security Adjudications Act 1983 (c.41) and by section 28 of the National Health Service and Community Care Act 1990 (c.19); section 10 was amended by paragraph 2 of Schedule 6 to the Health Services Act 1980 (c.53)

(6) 2003 c.4

(7) 2004 c.17

(8) 2008 c.14

(9) S.I. 2002/253

(10) 2001 c.3 (N.I.)

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- F8** Words in Rule substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**
- F9** Words in reg. 1(2) omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 36(b)** (with reg. 3)
- F10** Words in reg. 1(2) omitted (1.4.2013) by virtue of [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), **Sch. 2 para. 141(2)(b)(iii)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. applied in part by [2022 c. 3 \(N.I.\) Sch. 2 para. 1\(1\)\(d\)](#)
- Sch. 1 para. 9 applied (with modifications) by [2022 c. 3 \(N.I.\) Sch. 2 para. 1\(2\)\(b\(i\)\)](#)