

**2001 No. 2629**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service Trusts (Membership and Procedure) Amendment (England) Regulations 2001**

*Made* - - - - - *19th July 2001*

*Laid before Parliament* *20th July 2001*

*Coming into force* - - *13th August 2001*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 126(4) of the National Health Service Act 1977(a) and section 5(7) of the National Health Service and Community Care Act 1990(b), hereby makes the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the National Health Service Trusts (Membership and Procedure) Amendment (England) Regulations 2001 and shall come into force on 13th August 2001.

(2) These Regulations extend to England only.

**Amendment of Regulations**

2. In regulation 11 of the National Health Service Trusts (Membership and Procedure) Regulations 1990(c) (disqualification for appointment of chairman and non-executive directors), in paragraph (5)(d), after paragraph (a) insert—

“(aa) the National Clinical Assessment Authority”(e).

Signed by authority of the Secretary of State for Health

*John Hutton*  
Minister of State,  
Department of Health

19th July 2001

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(a) 1977 c. 49; section 126(4) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”) and by paragraph 37(6) of Schedule 4 to the Health Act 1999 (c. 8) (“the 1999 Act”); see section 128(1), as amended by section 26(2)(i) and (g) of the 1990 Act, for the definition of “regulations”.

(b) 1990 c. 19; section 5(7) was amended by paragraph 69(1) of Schedule 1 to the Health Authorities Act 1995 (c. 17). The functions of the Secretary of State under these provisions and the relevant provisions of the 1977 Act are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of, and the entry for the 1977 Act and the 1990 Act in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672 as amended by section 66(5) of the 1999 Act.

(c) S.I. 1990/2024.

(d) Paragraph (5) was inserted by S.I. 1997/2990 and amended by S.I. 1999/945 and 2000/2434.

(e) See S.I. 2000/2961 and 2962.

## EXPLANATORY NOTE

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

These Regulations amend regulation 11 of the National Health Service Trusts (Membership and Procedure) Regulations 1990, which make provision relating to the membership and procedure of National Health Service trusts, so as to provide that the chairman and members of the National Clinical Assessment Authority are not disqualified for appointment as a chairman or a non-executive director of a National Health Service trust in England.

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