

2006 No. 1393

NATIONAL HEALTH SERVICE, ENGLAND

The Health Authorities (Membership and Procedure) Amendment
(England) Regulations 2006

<i>Made</i>	- - - -	<i>24th May 2006</i>
<i>Laid before Parliament</i>		<i>2nd June 2006</i>
<i>Coming into force</i>	- -	<i>1st July 2006</i>

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 126(4) of, and paragraphs 2 and 12 of Schedule 5 to, the National Health Service Act 1977(a):

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Health Authorities (Membership and Procedure) Amendment (England) Regulations 2006 and shall come into force on 1st July 2006.

(2) These Regulations apply in relation to England.

(3) In these Regulations, “the principal Regulations” means the Health Authorities (Membership and Procedure) Regulations 1996(b).

Amendment of the principal Regulations

2.—(1) In regulation 2 of the principal Regulations (membership of Authorities) paragraph (2) is omitted.

(2) In regulation 8 of the principal Regulations (termination of tenure of office), paragraph (8) is omitted.

(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”), section 65(1) of, and paragraphs 4 and 37(1) and (6) of Schedule 4 to, the Health Act 1999 (c.8) (“the 1999 Act”), section 67(1) of, and paragraphs 5(1) and (13)(b) of Schedule 5 to, the Health and Social Care Act 2001 (c.15), sections 6(3)(c) and 37(1) of, and paragraphs 1 and 10(a) of Schedule 8 to, the National Health Service Reform and Health Care Professions Act 2002 (c.17) (“the 2002 Act”) and section 184 and 196 of, and paragraph 38 of Schedule 11 and Part 4 of Schedule 14 to, the Health and Social Care (Community Health and Standards) Act 2003 (c.43) (“the 2003 Act”). Paragraph 2 of Schedule 5 was inserted by section 2(1) of, and paragraph 59 of Schedule 1 to, the Health Authorities Act 1995 (c.17) and amended by paragraph 34(1) and (2)(a) of Schedule 1 to the 2002 Act. Paragraph 12 of Schedule 5 was amended by article 7 of S.I. 1985/39, section 1 of, and paragraph 9 of Schedule 1 to, the 1990 Act, and section 65(1) of, and paragraphs 4 and 39(1) and (4) of Schedule 4 to, the 1999 Act; there are other amendments to paragraph 12 of Schedule 5 which are not relevant to these Regulations. See section 128(1), as amended by sections 26(2)(g) and (i) of the 1990 Act, for the definitions of “prescribed” and “regulations”. 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, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672 (“the 1999 Order”); for the reference to the National Health Service Act 1977, see the entry in Schedule 1 to the 1999 Order, as amended by section 66(4) and (5)(a) of the 1999 Act and section 196 of, and Part 4 of Schedule 14 to, the 2003 Act.

(b) 1996/707; relevant amending instruments are S.I. 2002/556 and 2004/1771.

Signed by authority of the Secretary of State for Health

24th May 2006

Warner
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Health Authorities (Membership and Procedure) Regulations 1996 (“the principal Regulations”) make provision relating to the membership and procedure of Strategic Health Authorities and Health Authorities (“Authorities”).

These Regulations, which apply in relation to England, amend the principal Regulations by removing the requirement for one of the non-officer members of an Authority to be a person who holds a post in an institution within the higher education sector which provides education leading to registration in certain health professions.

These Regulations also remove the provision as to termination of such a person’s appointment as a member of the Authority where the person ceases to hold such a post.

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