

SCHEDULE 3

Part 3, article 9

Amendments consequential on the establishment of the National Health Service Commissioning Board and clinical commissioning groups

The National Health Service Trusts (Membership and Procedure) Regulations 1990

1.—(1) The National Health Service Trusts (Membership and Procedure) Regulations 1990(1) are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body”—

(a) in paragraph (a), after “Special Health Authority,” insert “a clinical commissioning group,”; and

(b) after paragraph (b), insert—

“(ba) the National Health Service Commissioning Board;”.

(3) In regulation 11(1) (disqualification for appointment of chairman and non-executive directors)

(a) for sub-paragraph (d), substitute—

“(d) he is a person whose tenure of office as the chairman, a member, a director or a governor of a health service body other than a clinical commissioning group has been terminated on the grounds—

(i) that it was not in the interests of the health service body or of the health service that he should continue to hold the office,

(ii) of non-attendance at meetings,

(iii) of non-disclosure of a pecuniary interest, or

(iv) of misbehaviour, misconduct or failure to carry out his duties;”;

(b) after sub-paragraph (d), insert—

“(da) he is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”;

(c) in sub-paragraph (e), before “an NHS foundation trust” insert “a clinical commissioning group or”; and

(d) after sub-paragraph (e) insert—

“(ea) he is a person who is the chair or a member of the governing body of a clinical commissioning group, or an employee of such a group;”.

(4) For regulation 11(3), substitute—

“(3) For the purposes of paragraph (1)(c), a person shall not be treated as having been in paid employment by reason only of having been—

(a) in the case of an NHS foundation trust, the chairman, a governor or a non-executive director of the trust;

(b) in the case of a clinical commissioning group, the chair or a member of the governing body of the group; or

(c) in the case of any other health service body, the chairman, a member or a director of the health service body in question.”.

(1) S.I. 1990/2024. Relevant amending instruments are S.I. 1996/1755, S.I. 1998/646, S.I. 2000/2434, S.I. 2002/2469 and 2861, S.I. 2004/696, S.I. 2005/525, 1622 and 2078, S.I. 2006/552 and S.I. 2011/2581.

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The National Health Service Litigation Authority Regulations 1995

2.—(1) The National Health Service Litigation Authority Regulations 1995(2) are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body”, after “Special Health Authority,” insert “the National Health Service Commissioning Board, a clinical commissioning group,”.

(3) In regulation 7(1) (disqualification for appointment)—

(a) for sub-paragraph (d), substitute—

“(d) he is a person whose tenure of office as the chairman, a member, a director or a governor of a health service body other than a clinical commissioning group has been terminated on the grounds—

(i) that it was not in the interests of the health service body or of the health service that he should continue to hold the office,

(ii) of non-attendance at meetings,

(iii) of non-disclosure of a pecuniary interest, or

(iv) of misbehaviour, misconduct or failure to carry out his duties;”;

(b) after sub-paragraph (d) insert—

“(da) he is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”;

(c) in sub-paragraph (e), for “or an NHS trust” substitute “, an NHS trust or the National Health Service Commissioning Board or the chair or a member of the governing body of a clinical commissioning group”.

(4) For regulation 7(3) (disqualification for appointment – paid employment) substitute—

“(4) For the purposes of paragraph (1)(c), a person shall not be treated as having been in paid employment by reason only of having been—

(a) in the case of an NHS foundation trust, the chairman, a governor or a non-executive director of the trust;

(b) in the case of a clinical commissioning group, the chair or a member of the governing body of the group; or

(c) in the case of any other health service body, the chairman, a member or a director of the health service body in question.”.

The National Health Service Litigation Authority (Establishment and Constitution) Order 1995

3. In article 1(2) of the National Health Service Litigation Authority (Establishment and Constitution) Order 1995(3) (interpretation), in the definition of “NHS body”, after “Special Health Authority,” insert “the National Health Service Commissioning Board, a clinical commissioning group,”.

(2) [S.I. 1995/2801](#). Relevant amending instruments are [S.I. 1998/646](#), [S.I. 2000/696](#) and [2433](#), [S.I. 2002/2469](#) and [2861](#), [S.I. 2004/696](#) and [S.I. 2006/552](#).

(3) [S.I. 1995/2800](#) as amended by [S.I. 2005/1445](#). There are other amending instruments but none is relevant.

The National Health Service (Clinical Negligence Scheme) Regulations 1996

4. In regulation 3(1) of the National Health Service (Clinical Negligence Scheme) Regulations 1996(4) (eligible bodies), before sub-paragraph (a), insert—

- “(za) a clinical commissioning group,
- (zb) the National Health Service Commissioning Board,”.

The National Health Service (Existing Liabilities Scheme) Regulations 1996

5. In regulation 3(a) of the National Health Service (Existing Liabilities Scheme) Regulations 1996(5) (eligible bodies), after sub-paragraph (iv) insert—

- “(v) the National Health Service Commissioning Board,”.

The National Health Service (Liabilities to Third Parties Scheme) Regulations 1999

6. In regulation 3 of the National Health Service (Liabilities to Third Parties Scheme) Regulations 1999(6) (eligible bodies)—

- (a) before paragraph (a), insert—
 - “(za) a clinical commissioning group,
 - (zb) the National Health Service Commissioning Board,”; and
- (b) after paragraph (aa), insert—
 - “(ab) the company known as ‘NHS Property Services Limited’, a company registered in England and Wales with company number 7888110,”.

The National Health Service (Property Expenses Scheme) Regulations 1999

7. In regulation 3 of the National Health Service (Property Expenses Scheme) Regulations 1999(7) (eligible bodies)—

- (a) before paragraph (a), insert—
 - “(za) a clinical commissioning group,
 - (zb) the National Health Service Commissioning Board,”; and
- (b) after paragraph (aa), insert—
 - “(ab) the company known as ‘NHS Property Services Limited’, a company registered in England and Wales with company number 7888110,”.

The Medicines for Human Use (Clinical Trials) Regulations 2004

8.—(1) The Medicines for Human Use (Clinical Trials) Regulations 2004(8) are amended as follows.

- (2) In regulation 2(1) (interpretation), in the definition of “health service body”—
 - (a) in paragraph (b), after “Primary Care Trust” insert “, clinical commissioning group”; and
 - (b) after paragraph (b) insert—
 - “(ba) the National Health Service Commissioning Board,”.

(4) S.I. 1996/251. Relevant amending instruments are S.I. 1997/527, S.I. 2000/2341, S.I. 2002/1073 and 2469, S.I. 2004/696 and S.I. 2005/604.

(5) S.I. 1996/686. Relevant amending instruments are S.I. 2004/696, S.I. 2005/604 and S.I. 2006/2469.

(6) S.I. 1999/873 as amended by S.I. 2000/2385 and 2469, S.I. 2004/696 and S.I. 2005/604.

(7) S.I. 1999/874 as amended by S.I. 2000/2342, S.I. 2002/2469, S.I. 2004/696 and S.I. 2005/604.

(8) S.I. 2004/1031. Relevant amending instruments are S.I. 2006/562, S.I. 2008/941 and S.I. 2011/2581.

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- (3) In Schedule 2 (additional provisions relating to Ethics Committees)—
 - (a) in paragraph 3(5)(b)(iii), at the end of paragraph (bb) insert—
 - “; or
 - (cc) the governing body of a clinical commissioning group”; and
 - (b) in paragraph 6(6)(a)(ii), after “health service body” insert “or the governing body of a clinical commissioning group”.

The NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005

9.—(1) The NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005(9) are amended as follows.

- (2) In regulation 1(2) (interpretation), in the definition of “health service body”—
 - (a) in paragraph (a), after “Special Health Authority,” insert “clinical commissioning group,”; and
 - (b) after paragraph (f) insert—
 - “(fa) the National Health Service Commissioning Board;”.
- (3) In regulation 3(1) (disqualification for appointment)—
 - (a) sub-paragraph (d), substitute—
 - “(d) he is a person whose tenure of office as the chairman, a member, a director or a governor of a health service body other than a clinical commissioning group has been terminated on the grounds—
 - (i) that it was not in the interests of the health service body or of the health service that he should continue to hold the office,
 - (ii) of non-attendance at meetings,
 - (iii) of non-disclosure of a pecuniary interest, or
 - (iv) of misbehaviour, misconduct or failure to carry out his duties;”; and
 - (b) after sub-paragraph (d) insert—
 - “(da) he is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”.
- (4) For regulation 3(3) (disqualification for appointment – paid employment) substitute—
 - “(3) For the purposes of paragraph (1)(c), a person shall not be treated as having been in paid employment by reason only of having been—
 - (a) in the case of an NHS foundation trust, the chairman, a governor or a non-executive director of the trust;
 - (b) in the case of a clinical commissioning group, the chair or a member of the governing body of the group; or
 - (c) in the case of any other health service body, the chairman, a member or a director of the health service body in question.”.

(9) [S.I. 2005/2531](#). Relevant amending instruments are [S.I. 2008/2250](#) and [S.I. 2011/2851](#).

The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005

10.—(1) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005(**10**) are amended as follows.

- (2) In regulation 1(2) (interpretation), in the definition of “health service body”—
- (a) in paragraph (a), after “Special Health Authority,” insert “clinical commissioning group,”; and
 - (b) after paragraph (f) insert—
“**(fa)** the National Health Service Commissioning Board;”.
- (3) In regulation 3(1) (disqualification for appointment)—
- (a) for sub-paragraph (d), substitute—
“**(d)** he is a person whose tenure of office as the chairman, a member, a director or a governor of a health service body other than a clinical commissioning group has been terminated on the grounds—
 - (i) that it was not in the interests of the health service body or of the health service that he should continue to hold the office,
 - (ii) of non-attendance at meetings,
 - (iii) of non-disclosure of a pecuniary interest, or
 - (iv) of misbehaviour, misconduct or failure to carry out his duties;”;
 - (b) after sub-paragraph (d) insert—
“**(da)** he is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”;
 - (c) in sub-paragraph (j), after sub-paragraph (i) insert—
“**(ia)** the National Health Service Commissioning Board;” and
 - (d) after sub-paragraph (j) insert—
“**(ja)** he is the chair or a member of the governing body of a clinical commissioning group.”.
- (4) For regulation 3(3) (disqualification for appointment – paid employment) substitute—
- “**(3)** For the purposes of paragraph (1)(c), a person shall not be treated as having been in paid employment by reason only of having been—
- (a) in the case of an NHS foundation trust, the chairman, a governor or a non-executive director of the trust;
 - (b) in the case of a clinical commissioning group, the chair or a member of the governing body of the group; or
 - (c) in the case of any other health service body, the chairman, a member or a director of the health service body in question.”.

The Care Quality Commission (Registration) Regulations 2009

11.—(1) The Care Quality Commission (Registration) Regulations 2009(**11**) are amended as follows.

(10) [S.I. 2005/2415](#). Relevant amending instruments are [S.I. 2006/633](#), [S.I. 2008/2250](#) and [S.I. 2011/2581](#).

(11) [S.I. 2009/3112](#) as amended by [S.I. 2012/1186](#). There are other amending instruments but none is relevant.

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(2) In regulation 16(4) (notification of death of service user), for “the NHS Commissioning Board Authority established under article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011”, substitute “the National Health Service Commissioning Board”.

(3) After regulation 16(4) insert—

“(4A) For the purposes of paragraph (4), where a person has reported a death to the NHS Commissioning Board Authority, established under Article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011, before the establishment of the National Health Service Commissioning Board (“the Board”), that report is to be treated as having been made to the Board.”.

(4) In regulation 18(4) (notification of other incidents), for “the NHS Commissioning Board Authority established under article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011”, substitute “the National Health Service Commissioning Board”.

(5) After regulation 18(4) insert—

“(4ZA) For the purposes of paragraph (4), where a person has reported an incident to the NHS Commissioning Board Authority, established under Article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011, before the establishment of the National Health Service Commissioning Board (“the Board”), that report is to be treated as having been made to the Board.”.

The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009

12.—(1) The English text of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009(**12**) is amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body” (“*corff gwasanaeth iechyd*”)—

(a) in paragraph (a), after “a Primary Care Trust,” insert “a clinical commissioning group,”; and

(b) at the end insert—

“(e) the National Health Service Commissioning Board;”.

(3) In regulation 15 (disqualification for appointment of chair and non-executive directors)—

(a) for sub-paragraph (1)(d), substitute—

“(d) he is a person whose tenure of office as the chairman, a member, a director or a governor of a health service body other than a clinical commissioning group has been terminated on the grounds—

(i) that it was not in the interests of the health service body or of the health service that he should continue to hold the office,

(ii) of non-attendance at meetings,

(iii) of non-disclosure of a pecuniary interest, or

(iv) of misbehaviour, misconduct or failure to carry out his duties;”;

(b) after sub-paragraph (1)(d), insert—

“(da) that person is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group; or”;

(c) in sub-paragraph (1)(e), after “health service body other than”, insert “a clinical commissioning group or an employee of such a group or”;

(d) after sub-paragraph (1)(e) insert—

“(ea) that person is the chair or a member of the governing body of a clinical commissioning group or an employee of the group; or”; and

(e) for paragraph (3) substitute—

“(3) For the purposes of paragraph (1)(c), a person will not be treated as having been in paid employment by reason only of having been—

- (a) in the case of an NHS foundation trust, the chair, a governor or a non-executive director;
- (b) in the case of a clinical commissioning group, the chair or a member of the governing body of the group; or
- (c) in the case of any other health service body, the chair, a member or a director of the health service body in question.”.

(4) The Welsh text of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 is amended as follows.

(5) In regulation 1(2) (dehongli), in the definition of “corff gwasanaeth iechyd” (“*health service body*”)—

- (a) in paragraph (a), after “Gofal Iechyd Sylfaenol”, insert “grŵp comisiynu clinigol,” and
- (b) at the end insert—

“(d) Bwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol;”.

(6) In regulation 15 (datgymhwyso rhag penodi cadeirydd a chyfarwyddwyr anweithredol)—

(a) for sub-paragraph (1)(ch), substitute—

“(ch) os yw’r person hwnnw yn berson y mae ei ddeiliadaeth swydd fel cadeirydd corff gwasanaeth iechyd, neu fel aelod ohono, neu fel cyfarwyddwr neu lywodraethwr iddo, wedi ei therfynu oherwydd —

- (i) nad oedd o fudd i’r corff gwasanaeth iechyd neu i’r gwasanaeth iechyd gwladol iddo barhau i ddal y swydd,
- (ii) nad oedd yn mynychu cyfarfodydd,
- (iii) nad oedd yn datgelu buddiant ariannol, neu
- (iv) iddo gamymddwyn, gamweinyddu neu fethu â chyflawni ei ddyletswyddau;”;

(b) after sub-paragraph (1)(ch), insert—

“(cha) os yw’r person hwnnw yn berson a ddiswyddwyd fel cadeirydd neu aelod o gorff llywodraethu grŵp comisiynu clinigol; neu”;

(c) for sub-paragraph (1)(d), substitute—

“(d) os yw’r person hwnnw’n gadeirydd corff gwasanaeth iechyd ac eithrio grŵp comisiynu clinigol neu gyflogai i’r grŵp hwnnw neu ymddiriedolaeth sefydledig GIG, neu os yw’n aelod o’r corff gwasanaeth iechyd hwnnw neu’n gyfarwyddwr neu’n gyflogai iddo; neu”;

(d) after sub-paragraph (1)(d) insert—

“(da) os yw’r person hwnnw’n gadeirydd neu’n aelod o gorff llywodraethu grŵp comisiynu clinigol neu yn gyflogai i’r grŵp; neu”; and

(e) for paragraph (3) substitute—

“(3) At ddibenion paragraff (1)(c), ni thrinnir person fel petai wedi bod mewn cyflogaeth am dâl yn unig oherwydd iddo fod—

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- (a) yn achos ymddiriedolaeth sefydledig GIG, yn gadeirydd, llywodraethwr neu gyfarwyddwr anweithredol;
- (b) yn achos grŵp comisiynu clinigol, yn gadeirydd neu'n aelod o gorff llywodraethu'r grŵp;
- (c) yn achos unrhyw gorff gwasanaeth iechyd arall, cadeirydd, neu aelod neu gyfarwyddwr ar y corff gwasanaeth iechyd dan sylw.”.

The Welsh Health Specialised Services Committee (Wales) Regulations 2009

13.—(1) The English text of the Welsh Health Specialised Services Committee (Wales) Regulations 2009(13) is amended as follows.

(2) In regulation 2 (interpretation), in the definition of “health service body” (“*corff gwasanaeth iechyd*”), for “means a”, substitute “means the National Health Service Commissioning Board, a clinical commissioning group,”.

(3) In paragraph 1(2) of Schedule 2 (eligibility requirements)—

- (a) in sub-paragraph (d), after “health service body” (the first time it appears), insert “other than a clinical commissioning group”; and
- (b) after sub-paragraph (d) insert—

“(e) has been removed from office as the chair or member of the governing body of a clinical commissioning group.”.

(4) At the end of paragraph 1(4) of Schedule 2, insert “other than a clinical commissioning group, or of having held the position of chair or member of the governing body of a clinical commissioning group”.

(5) The Welsh text of the Welsh Health Specialised Services Committee (Wales) Regulations 2009 is amended as follows.

(6) In regulation 2 (dehongli), in the definition of “corff gwasanaeth iechyd” (“*health service body*”), after “yw” insert “Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol, grŵp comisiynu clinigol,”.

(7) In paragraph 1(2) of Schedule 2 (y gofynion cymhwysra)—

- (a) in sub-paragraph (ch), after “corff gwasanaeth iechyd” (the first time it appears), insert “ac eithrio grŵp comisiynu clinigol”; and
- (b) after sub-paragraph (ch) insert—

“(d) wedi ei ddiswyddo fel cadeirydd neu aelod o gorff llywodraethu grŵp comisiynu clinigol.”.

(8) At the end of paragraph 1(4) of Schedule 2, insert “ac eithrio grŵp comisiynu clinigol, neu fel un sydd wedi dal swydd cadeirydd neu aelod o gorff llywodraethu grŵp comisiynu clinigol”.

The Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009

14.—(1) The English text of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009(14) is amended as follows.

(2) In regulation 2 (interpretation), in the definition of “health service body” (“*corff gwasanaeth iechyd*”), for “means a”, substitute “means the National Health Service Commissioning Board, a clinical commissioning group,”.

(13) S.I. 2009/3097 (W. 270).

(14) S.I. 2009/779 (W. 67).

- (3) In paragraph 1(2) of Schedule 2 (eligibility requirements for members and associate members)
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- (a) in sub-paragraph (d), after “health service body” (the first time it appears), insert “other than a clinical commissioning group”; and
- (b) after sub-paragraph (d) insert—
- “*(e)* has been removed from office as the chair or a member of the governing body of a clinical commissioning group.”
- (4) At the end of paragraph 1(4) of Schedule 2, insert “other than a clinical commissioning group, or of having held the position of chair or member of the governing body of a clinical commissioning group”.
- (5) The Welsh text of the Local Health Boards (Constitution, Membership and Procedures) Regulations 2009 is amended as follows.
- (6) In regulation 2 (dehongli), in the definition of “*corff gwasanaeth iechyd*” (“*health service body*”), after “yw” insert “Bwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol, grŵp comisiynu clinigol.”
- (7) In paragraph 1(2)(ch) of Schedule 2 (y meini prawf cymhwystra ar gyfer aelodau ac aelodau cyswllt)—
- (a) in sub-paragraph (ch), after “*corff gwasanaeth iechyd*” (the first time it appears), insert “ac eithrio grŵp comisiynu clinigol”; and
- (b) after sub-paragraph (ch) insert—
- “(d) wedi’i ddiswyddo fel cadeirydd neu aelod o gorff llywodraethu grŵp comisiynu clinigol.”
- (8) At the end of paragraph 1(4) of Schedule 2, insert “ac eithrio grŵp comisiynu clinigol, neu fel un sydd wedi dal swydd cadeirydd neu aelod o gorff llywodraethu grŵp comisiynu clinigol”.

The Health Research Authority Regulations 2011

- 15.**—(1) The Health Research Authority Regulations 2011(**15**) are amended as follows.
- (2) In regulation 1(2) (interpretation)—
- (a) the definition of “health service body”—
- (i) in paragraph (a), after “Special Health Authority,” insert “a clinical commissioning group,”;
- (ii) after paragraph (g) insert—
- “(ga) the National Health Service Commissioning Board;” and
- (b) in the definition of “member”, for “regulation 2A(1)(d), (2) and (3)” substitute “regulation 2A(1)(d), (da), (2) and (3)”.
- (3) In regulation 2A (disqualification for appointment)—
- (a) in paragraph (1)(d), after “health service body” (the first time it appears), insert “other than a clinical commissioning group”;
- (b) after paragraph (1)(d), insert—
- “(da) that person is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”;
- (c) in paragraph (2)(a), after “which is not”, insert “a clinical commissioning group;” and

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(d) after paragraph (2)(a) insert—

“(ab) in the case of a clinical commissioning group, the chair or a member of the governing body of the group;”.

The National Health Service Trust Development Authority Regulations 2012

16.—(1) The National Health Service Trust Development Authority Regulations 2012(**16**) are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) the definition of “health service body”—

(i) in paragraph (a), after “Special Health Authority,” insert “a clinical commissioning group;”;

(ii) after paragraph (g) insert—

“(ga) the National Health Service Commissioning Board;”;

(b) in the definition of “member”, for “regulation 3(1)(d) and (h)” substitute “regulation 3(1)(d), (da), (h) and (k)”.

(3) In regulation 3 (disqualification for appointment)—

(a) in paragraph (1)(d), after “health service body” (the first time it appears), insert “other than a clinical commissioning group”;

(b) after paragraph (1)(d), insert—

“(da) that person is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”;

(c) in paragraph (1)(j), at the end of paragraph (iv), insert—

“; or

(v) the National Health Service Commissioning Board; or”;

(d) after paragraph (1)(j) insert—

“(k) that person is the chair or a member of the governing body of a clinical commissioning group.”;

(e) in paragraph (2)(a), after “which is not”, insert “a clinical commissioning group;”;

(f) after paragraph (2)(a) insert—

“(ab) in the case of a clinical commissioning group, the chair or a member of the governing body of the group;”.

The Health Education England Regulations 2012

17.—(1) The Health Education England Regulations 2012(**17**) are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) the definition of “health service body”—

(i) in paragraph (a), after “Special Health Authority,” insert “a clinical commissioning group;”;

(ii) after paragraph (g) insert—

“(ga) the National Health Service Commissioning Board;”;

(16) [S.I. 2012/922](#).

(17) [S.I. 2012/1290](#).

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- (b) in the definition of “member”, for “regulation 3(1)(d) and (3)” substitute “regulation 3(1)(d), (da), (2) and (3)”.
- (3) In regulation 3 (disqualification for appointment)—
 - (a) in paragraph (1)(d), after “health service body” (the first time it appears), insert “other than a clinical commissioning group”;
 - (b) after paragraph (1)(d), insert—
 - “(da) P is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”;
 - (c) in paragraph (2)(a), after “which is not”, insert “a clinical commissioning group;”;
 - (d) after paragraph (2)(a) insert—
 - “(ab) in the case of a clinical commissioning group, the chair or a member of the governing body of the group;”.