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WELSH STATUTORY INSTRUMENTS

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**2020 No. 585 (W. 133)**

**NATIONAL HEALTH SERVICE, WALES**

**The National Health Service (Temporary Disapplication of Tenure of Office) (Wales) (Coronavirus) Regulations 2020**

<i>Made</i>	- - - -	<i>10 June 2020</i>
<i>Laid before Senedd Cymru</i>		<i>11 June 2020</i>
<i>Coming into force</i>	- -	<i>5 July 2020</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 203(9) and (10) of, and paragraph 4(1)(a), (b) and (e) of Schedule 2, paragraph 4(1)(a) and (f) of Schedule 3, and paragraph 5(a) of Schedule 5 to, the National Health Service (Wales) Act 2006<sup>(1)</sup>.

**Title, commencement and interpretation**

1.—(1) The title of these Regulations is the National Health Service (Temporary Disapplication of Tenure of Office) (Wales) (Coronavirus) Regulations 2020.

(2) These Regulations come into force on 5 July 2020.

(3) In these Regulations, “the relevant period” means the period starting with the day these Regulations come into force and ending on 31 March 2021.

**Tenure of office of a member and an associate member of Local Health Boards**

2. Regulations 6(5) and 7(5) of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009<sup>(2)</sup> do not apply during the relevant period.

**Tenure of office of the chair and non-executive directors of Public Health Wales National Health Service Trust**

3. Regulation 14(3) of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009<sup>(3)</sup> does not apply during the relevant period.

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<sup>(1)</sup> 2006 c. 42. See section 206(1) for the definition of “regulations”.

<sup>(2)</sup> S.I. 2009/779 (W. 67), to which there are amendments not relevant to these Regulations.

<sup>(3)</sup> S.I. 2009/1385 (W. 141), to which there are amendments not relevant to these Regulations.

**Tenure of office of the chair, vice-chair and non-officer members of Welsh Health Specialised Services Committee**

4. Regulations 6(5) and 7(4) of the Welsh Health Specialised Services Committee (Wales) Regulations 2009(4) do not apply during the relevant period.

**Tenure of office of the chair or vice-chair of Velindre National Health Service Trust Shared Services Committee**

5. Regulation 8(5) of the Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012(5) does not apply during the relevant period.

**Tenure of office of the chair and vice-chair of Emergency Ambulance Services Committee**

6. Regulations 6(5) and 7(4) of the Emergency Ambulance Services Committee (Wales) Regulations 2014(6) do not apply during the relevant period.

**Tenure of office of non-officer members of Health Education and Improvement Wales**

7. In regulation 4(3) of the Health Education and Improvement Wales Regulations 2017(7), the words “but a person must not be a non-officer member for a total period of more than 8 years” do not apply during the relevant period.

**End of the relevant period**

8. Any person appointed or reappointed pursuant to the Regulations referred to in regulations 2 to 7 of these Regulations, as modified, may at the end of the relevant period, continue to hold and vacate office in accordance with the terms of that person’s appointment or reappointment.

10 June 2020

*Vaughan Gething*  
Minister for Health and Social Services, one of  
the Welsh Ministers

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(4) S.I. 2009/3097 (W. 270), to which there are amendments not relevant to these Regulations.  
(5) S.I. 2012/1261 (W. 156), to which there are amendments not relevant to these Regulations.  
(6) S.I. 2014/566 (W. 67), to which there are amendments not relevant to these Regulations.  
(7) S.I. 2017/909 (W. 221).

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## EXPLANATORY NOTE

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

These Regulations temporarily disapply certain provisions relating to the tenure of office of board and committee members of particular National Health Service bodies to address the disruption to appointments during the COVID-19 pandemic, so as to enable members of boards and committees who are nearing the end of their tenure to remain in office.

Regulation 2 temporarily disapplies the maximum period of tenure of office of members and associate members of Local Health Boards as prescribed in the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009.

Regulation 3 temporarily disapplies the maximum period of tenure of office of the chair and non-executive directors of the Public Health Wales National Health Service Trust as prescribed in the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009.

Regulation 4 temporarily disapplies the maximum period of tenure of office of the chair, vice-chair and non-officer members of the Welsh Health Specialised Services Committee as prescribed in the Welsh Health Specialised Services Committee (Wales) Regulations 2009.

Regulation 5 temporarily disapplies the maximum period of the tenure of office of the chair and vice-chair of the Velindre National Health Service Trust Shared Services Committee as prescribed in the Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012.

Regulation 6 temporarily disapplies the maximum period of the tenure of office of the chair and vice-chair of the Emergency Ambulance Services Committee as prescribed in the Emergency Ambulance Services Committee (Wales) Regulations 2014.

Regulation 7 temporarily disapplies the maximum period of the tenure of office of a non-officer member of Health Education and Improvement Wales as prescribed in the Health Education and Improvement Wales Regulations 2017.

Regulation 8 enables any person appointed or reappointed in accordance with the modifications made by these Regulations, to continue their term of office and to vacate office in accordance with the terms of their appointment or reappointment after the end of the relevant period, when the temporary disapplication of the maximum tenure of office cease to have effect.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.