NATIONAL HEALTH SERVICE, ENGLAND

APPOINTMENT OF SPECIALISTS

The National Health Service (Appointment of Specialists) Regulations, 1950

1950 No. 1259

Made - - - - -	*27th July*, 1950
Laid before Parliament	*28th July*, 1950
Coming into Operation	*1st September*, 1950

M.H. 110830

The Minister of Health, in exercise of his powers under section 14 of the National Health Service Act, 1946(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the National Health Service (Appointment of Specialists) Regulations, 1950, and shall come into operation on the first day of September, 1950.

2. The Interpretation Act, 1889(b), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The National Health Service (Appointment of Specialists) Regulations, 1948(c), are hereby revoked:

Provided however that those regulations shall continue to have operation with respect to the filling of any vacancy advertised in accordance therewith before the commencement of these regulations.

4. These regulations apply to the appointment by a Regional Hospital Board or by the Board of Governors of a teaching hospital of any medical or dental officer whether whole-time or part-time, to the post of consultant or senior hospital medical officer or senior hospital dental officer on the staff of any hospital providing hospital and specialist services, not being the appointment of persons belonging to any of the following classes:—

(*a*) Professors, readers or other members of a medical or dental professorial unit who will receive no remuneration from the Board for their hospital appointments;

(*b*) Consultants who have reached the age of sixty-five years, or, in the case of mental health officers, sixty years, and who will receive no remuneration for their hospital appointments;

(*c*) Clinical teachers who will continue to hold existing posts at teaching hospitals, if the appointment is to be made by a Regional Hospital Board primarily for the purpose of enabling them to give clinical instruction to students in a non-teaching hospital.

(*d*) Persons who are primarily engaged in research which necessitates their appointment to the staff of a hospital and who will receive no remuneration for that appointment;

(*e*) Persons to be appointed to posts expressly limited, with the approval of the Minister, as regards their duration.

(a) 9 & 10 Geo. 6. c. 81. (b) 52 & 53 Vict. c. 63. (c) S.I. 1948 (No. 1416) I, p. 2036.

5. For the purpose of these regulations an Advisory Appointments Committee shall be constituted on the occasion of each vacancy in an office, which for this purpose includes a new office which the Board propose to fill. The Committee shall be constituted, where an appointment to the office is to be made by a Regional Hospital Board, in accordance with the provisions in Part I of the Schedule hereto, and where the appointment is to be made by a Board of Governors of a teaching hospital, in accordance with the provisions of Part II of the Schedule:

Provided that where it is intended to appoint the same person to an office in a non-teaching hospital and in a teaching hospital the Regional Hospital Board and the Board of Governors may, instead of constituting separate Advisory Appointments Committees, join in constituting an Advisory Appointments Committee in accordance with the provisions of Part III of the Schedule.

6. Any vacancy in an office which it is proposed to fill shall, if practicable, be advertised in two or more journals circulating throughout England and Wales, being journals commonly used for advertisements of a similar kind relating to the profession concerned. If not so practicable the vacancy shall be advertised in such other journals or newspapers as the Board think fit.

7. The advertisement shall state—

(i) the nature of the appointment;
(ii) whether the appointment is for whole-time or part-time service; if part-time the service shall be expressed as the approximate number of half-days per week which will be required;
(iii) that the remuneration shall be in accordance with the terms and conditions of service of hospital medical and dental officers for the time being in operation;
(iv) the closing date for the receipt of applications; and
(v) that canvassing of members of the Board or Advisory Appointments Committee will lead to disqualification.

8. The Board shall refer to the Advisory Appointments Committee all applications received before the closing date specified in the advertisement and may so refer any application received after that date where the Board is satisfied that such application could not have been submitted before that date for reasons beyond the control of the applicant. The Advisory Appointments Committee shall consider all applications submitted by the Board and may if they think fit require an applicant to attend before them for the purpose of an interview. After considering all the applications the Committee shall select from the applicants such persons as they think suitable for the appointment in the grade in question and submit their names to the Board together with any comments they may wish to make. If they are of opinion that none of the applicants is suitable for the appointment in the grade in question they shall so inform the Board.

9. No appointment shall be made to the vacancy by the Board except from applicants selected in the manner aforesaid.

10. The Board may make to the members of an Advisory Appointments Committee constituted by them, payments in respect of travelling and subsistence expenses in accordance with the scales set out in Parts II and III of the schedule to the National Health Service (Travelling Allowances, etc.) Regulations, 1949(a), and subject to the conditions set out in regulation 8 of those regulations.

(a) S.I. 1949 (No. 2340) I, p. 2639.

SCHEDULE

PART I

Non-teaching hospitals

1. The Advisory Appointments Committee shall be constituted by the Board and subject to the provision contained in paragraph 4 of this Part of the Schedule, shall consist of seven members, one of whom shall be appointed by the Board to act as Chairman.

2. Five of the members shall be nominated by the Board, and of the said five members four shall be professional members and one shall be a lay member. Of the four professional members one shall be nominated after consultation with the University with which the provision of hospital and specialist services in the area of the Board is associated; and one shall be a consultant, specialising in the branch of medicine or dentistry concerned outside the Region, nominated after consultation with the Royal College of Physicians, the Royal College of Surgeons or the Royal College of Obstetricians and Gynaecologists as appropriate.

3. The remaining two members shall be nominated by the Hospital Management Committee concerned. One of such members shall be a lay member and the other shall be, where a medical appointment is to be made, a member of the medical staff of the hospital or one of the hospitals concerned or where a dental appointment is to be made, a member of the dental staff (if any) of the hospital or hospitals.

4. Where the officer whose appointment is to be considered will be employed partly in the service of a local health authority the Board shall nominate two or more, but not more than five, additional members as the Board and the authority shall agree.

5. Where the officer whose appointment is to be considered will be employed by two or more Regional Hospital Boards or will be employed in hospitals administered by two or more Hospital Management Committees any nominations required by this part of the Schedule to be made by a Board or Committee shall be made by such Boards or Committees jointly.

6. In this part of the Schedule the expression "lay member" means a member who is neither a medical practitioner nor a dental practitioner, and the expression "professional member" means, where a medical appointment is to be made, a medical practitioner, and where a dental appointment is to be made a dental practitioner.

PART II

Teaching hospitals

1. The Advisory Appointments Committee shall be constituted by the Board and subject to the provisions contained in paragraph 4 of this Part of the Schedule shall consist of eight members, one of whom shall be appointed by the Board to act as Chairman.

2. Four of the members shall be nominated by the Board, and of the said four members, three shall be professional members and one shall be a lay member. Of the three professional members one shall be, where a medical appointment is to be made, a member of the medical staff of the hospital concerned or where a dental appointment is to be made a member of the dental staff (if any) of the hospital and the remaining two shall not. Of those two, who shall each be a consultant specialising in the branch of medicine or dentistry concerned, one shall be nominated after consultation with the Regional Hospital Board of the area and the other shall be nominated after consultation with the Royal College of Physicians, the Royal College of Surgeons or the Royal College of Obstetricians and Gynaecologists as appropriate.

3. The remaining four members shall be nominated by the University with which the hospital is associated. One of such members shall be a lay member and the other members shall be professional members. Where a hospital is

associated with the University of London that University shall consult with the governing body of the medical school or post-graduate institute associated with the hospital with regard to the nomination of two of the said professional members.

4. Where the officer whose appointment is to be considered will be employed partly in the service of a local health authority the Board shall nominate two or more, but not more than five, additional members as the Board and authority shall agree.

5. Where the officer whose appointment is to be considered will be employed by two or more Boards of Governors of teaching hospitals any nominations required by this part of the Schedule to be made by a Board, shall be made by such Boards jointly.

6. Paragraph 6 of Part I of this Schedule applies to the construction of this Part as if it had been included herein.

PART III

Non-teaching hospitals and teaching hospitals

1. The Advisory Appointments Committee shall be constituted by the Boards jointly and, subject to the provision contained in paragraph 5 of this Part of the Schedule, shall consist of ten members, one of whom shall be appointed by the Boards jointly to act as Chairman.

2. Four of the members shall be nominated by the Boards jointly, of whom three shall be professional members and one shall be a lay member. Of the three professional members one shall be a consultant specialising in the branch of medicine or dentistry concerned outside the region nominated after consultation with the Royal College of Physicians, the Royal College of Surgeons or the Royal College of Obstetricians and Gynaecologists as appropriate; and one shall be, where a medical appointment is to be made, a member of the medical staff of the teaching hospital or, where a dental appointment is to be made, a member of the dental staff (if any) of that hospital.

3. Two of the members shall be nominated by the Hospital Management Committee of the non-teaching hospital concerned. One of such members shall be a lay member, and the other shall be, where a medical appointment is to be made, a member of the medical staff of one of the hospitals concerned under the management of that Committee, or where a dental appointment is to be made, a member of the dental staff (if any) of that hospital or one of those hospitals.

4. The remaining four members shall be nominated by the University with which the teaching hospital is associated. One of such members shall be a lay member, and the other members shall be professional members. Where the teaching hospital is associated with the University of London that University shall consult with the governing body of the medical school or post-graduate institute associated with the hospital with regard to the nomination of two of the said professional members.

5. Where the officer whose appointment is to be considered will be employed partly in the service of a local health authority the Boards shall jointly nominate two or more, but not more than five, additional members as the Boards and the authority may agree.

6. Where the officer whose appointment is to be considered will be employed in hospitals administered by two or more Hospital Management Committees any nominations required by this Part of the Schedule to be made by a Committee shall be made by such Committees jointly.

7. Paragraph 6 of Part I of this Schedule applies to the construction of this Part as if it had been included herein.

Given under the Official Seal of the Minister of Health this twenty-seventh day of July, nineteen hundred and fifty.

(L.S.) *Aneurin Bevan,*
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations revoke the existing regulations prescribing the procedure to be followed in making certain hospital appointments. They re-define the classes of medical and dental officers with respect to whose appointment the special procedure is to be followed and make fresh provision with respect to the constitution of the Advisory Appointments Committees which are to be set up for the purpose of selection.

AUTHORISATION OF SUBSCRIPTIONS

The National Health Service (Authorisation of Subscriptions) Regulations, 1950

1950 No. 600

Made - - - -	13*th April*, 1950
Laid before Parliament	14*th April*, 1950
Coming into Operation	1*st May*, 1950

M.H. 110377

The Minister of Health in the exercise of the powers conferred upon him by Part IV of the Third Schedule to the National Health Service Act, 1946(**a**), as amended by the National Health Service (Amendment) Act, 1949(**b**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the National Health Service (Authorisation of Subscriptions) Regulations, 1950, and shall come into operation on the first day of May, 1950.

2. Regional Hospital Boards, Boards of Governors of teaching hospitals, and Hospital Management Committees, may subscribe such sums as may be approved by the Minister as subscriptions to the funds of any associations whose objects shall be approved by the Minister for that purpose.

Given under the official seal of the Minister of Health this thirteenth day of April, nineteen hundred and fifty.

(L.S.) *Wm. S. Douglas,*
Secretary,
Ministry of Health.

(a) 9 & 10 Geo. 6. c. 81. (b) 12, 13 & 14 Geo. 6. c. 93.