STATUTORY INSTRUMENTS

1974 No. 187

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (Central Health Services Council and Standing Advisory Committees) Regulations 1974

Made - - - -	*7th February* 1974
Laid before Parliament	*8th February* 1974
Coming into Operation	*31st March* 1974

The Secretary of State for Social Services, in exercise of powers conferred by paragraph 2 of Schedule 1 to the National Health Service Act 1946**(a)**, and now vested in him**(b)**, and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the National Health Service (Central Health Services Council and Standing Advisory Committees) Regulations 1974 and shall come into operation on 31st March 1974.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires:—

"the Act" means the National Health Service Act 1946;

"Advisory Committee" means a Standing Advisory Committee constituted by Order made under section 2(3) of the Act;

"Central Council" means the Central Health Services Council;

"nominated member" and "selected member" means respectively a person entitled to be or appointed to be a nominated or selected member of the Central Council in accordance with the provisions of the Central Health Services Council (Variation of Constitution) Order 1974**(c)**.

(2) References in these regulations to any enactment, Order or regulations include references to such enactment, Order or regulations as amended by any subsequent enactment, Order or regulations.

(3) The rules for the construction of an Act of Parliament contained in the Interpretation Act 1889**(d)** shall apply for the purposes of the interpretation of this instrument as they apply for the purposes of the interpretation of an Act of Parliament and in relation to any revocation effected thereby as if the instrument and regulations revoked by it, and any regulations revoked by the regulations so revoked, were Acts of Parliament and as if each revocation were a repeal.

(a) 1946 c. 81

(b) Secretary of State for Social Services Order 1968 (S.I. 1968/1699 (1968 III p.4585)).

(c) S.I. 1974/186 (1974 I, p. 665). **(d)** 1889 c. 63.

Vacation of office by members of Central Council and Advisory Committees

3. All members of the Central Council and of any Advisory Committee constituted by the National Health Service (Standing Advisory Committees) Order 1949**(a)** shall cease to be members of the Council or of such Advisory Committee upon the coming into operation of these regulations but nothing in this regulation shall preclude any person from appointment to the Central Council or to an Advisory Committee from 1st April 1974 or from being a nominated member from that date.

Term of office of selected members, of other members appointed to the Central Council and of members of Advisory Committees

4.—(1) Subject to the following provisions of these regulations, the term of office of a selected member and of any member of an Advisory Committee shall be for a period ending on 31st March next but three following the date of the appointment of such member.

(2) One half of the selected members and of the members of any Advisory Committee whose appointments take effect from 1st April 1974 shall be appointed for a period ending on 31st March 1976 and the remainder shall be appointed for a period ending on 31st March 1978.

(3) The term of office of any person appointed to be a member of the Central Council, other than a selected member, shall be for such period, not exceeding four years, as the Secretary of State may determine on making the appointment:

Provided that it shall be open to the Secretary of State to terminate such an appointment in the case of a person so appointed being elected to an office by virtue of which he is entitled to be a nominated member or upon a person so appointed being appointed as a selected member.

(4) For the purposes of this regulation and of paragraph (2) of the next following regulation one half of the selected members and one half of the members of any Advisory Committee constituted with an uneven number of members shall be calculated by reference to the number of such members less one.

Supplementary provisions as to term of office of members of Advisory Committees

5.—(1) A person appointed to be member of an Advisory Committee by reason of his membership of the Central Council shall cease to be a member of such Advisory Committee upon ceasing to be a member of the Central Council:

Provided that, for the purposes of this paragraph a person shall be deemed to continue to be a member of the Central Council if, on the termination of a period of office on that Council, he commences a further period of office with effect from the day following such termination.

(2) Where an Advisory Committee is constituted after 1st April 1974 one half of the original members thereof shall be appointed for a period ending on 31 March next but one following the date of the appointment of such members and the remainder of such members shall be appointed for a period two years greater than the period of office of the first half of such original members.

(a) This Order was not published as a Statutory Instrument.

(3) Where the number of members of an Advisory Committee is increased at any time the term of office of an original additional member shall be for such period, not exceeding four years, expiring on 31st March in any year as the Secretary of State shall, in each case, determine.

Casual vacancies

6. Where, for any reason, a person ceases to be a selected member or a member of an Advisory Committee before the expiration of the period for which he was appointed, the term of office of any member appointed in his place shall be the remainder of such period.

Termination of membership

7. Any selected member or other member appointed to the Central Council by the Secretary of State or any member of an Advisory Committee may resign at any time during the period for which he was appointed on giving notice in writing to the Secretary of State.

Eligibility for re-appointment to membership

8. Any selected member or other member appointed to the Central Council by the Secretary of State or any member of an Advisory Committee shall, on the expiration of his term of office, be eligible for re-appointment.

Revocation

9. The National Health Service (Central Health Services Council and Standing Advisory Committees) Regulations 1948**(a)** are hereby revoked.

Keith Joseph,
Secretary of State for Social Services.

7th February 1974.

(a) S.I. 1948/575 (Rev. XV, p. 503: 1948 I, p. 2049).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provision for the vacation of office on 31st March 1974 of members of the Central Health Services Council and of any Standing Advisory Committee constituted under section 2 of the National Health Service Act 1946 and make provision with respect to the appointment and tenure of office of the members of the Council as reconstituted and of such Committees from 1st April 1974.

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