

SCOTTISH STATUTORY INSTRUMENTS

2002 No. 190

The Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002

Membership of the Committee

3.—(1) The members of the Committee may be appointed by the Scottish Ministers on such terms and conditions as the Scottish Ministers consider appropriate.

(2) No more than ^[F1]30 members shall be appointed to the Committee at any time.

(3) The membership of the Committee shall, so far as practical, include at least—

- (a) one person who has experience in relation to the treatment of adults who are incapable;
- (b) one medical practitioner who provides ^[F2]primary medical services pursuant to Part I] of the National Health Service (Scotland) Act 1978 ^{M1};
- (c) one registered nurse or registered midwife;
- (d) one registered medical practitioner having experience in clinical pharmacology;
- (e) one ^[F3]pharmacist registered in Part 1 of the register maintained under article 19 of the Pharmacy Order 2010] or a registered person as defined by Article 2(2) of the Pharmacy (Northern Ireland) Order 1976 ^{M2};
- (f) one registered medical practitioner who holds the position of hospital consultant;
- (g) one registered medical practitioner having experience in the field of public health medicine;
- (h) one member who is registered as a member of a profession to which the ^[F4]Health Professions Order 2001 applies]; and
- (i) three lay members.

(4) Each member may be appointed for a period not exceeding 5 years but no member may be appointed for consecutive periods exceeding ^[F5]12] years.

(5) Where a person has been appointed as a member for a total of ^[F6]12] years consecutively that person may only be appointed again as a member under paragraph (4) above after the expiration of a period of 2 years from the end of the person's previous membership.

Textual Amendments

- F1** Word in reg. 3(2) substituted (20.2.2007) by [The Adults with Incapacity \(Ethics Committee\) \(Scotland\) Amendment Regulations 2007 \(S.S.I. 2007/22\)](#), regs. 1, **2(2)**
- F2** Words in reg. 3(3)(b) substituted (31.5.2004) by virtue of [The Primary Medical Services \(Consequential and Ancillary Amendments\) \(Scotland\) Order 2004 \(S.S.I. 2004/212\)](#), art. 1, **sch. 1 para. 11**
- F3** Words in reg. 3(3)(e) substituted (27.9.2010) by [The Pharmacy Order 2010 \(S.I. 2010/231\)](#), art. 1(5), **Sch. 4 para. 35** (with Sch. 5); [S.I. 2010/1621](#), art. 2(1), Sch.

Changes to legislation: There are currently no known outstanding effects for the *The Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002, Section 3*. (See end of Document for details)

- F4** Words in reg. 3(3)(h) substituted (2.12.2019) by [The Children and Social Work Act 2017 \(Consequential Amendments\) \(Social Workers\) Regulations 2019 \(S.I. 2019/1094\)](#), reg. 1, **Sch. 3 para. 6**; [S.I. 2019/1436](#), reg. 2(b)
- F5** Word in reg. 3(4) substituted (21.5.2020) by [The Adults with Incapacity \(Ethics Committee\) \(Scotland\) \(Coronavirus\) Amendment Regulations 2020 \(S.S.I. 2020/151\)](#), regs. 1, **2(2)**
- F6** Word in reg. 3(5) substituted (21.5.2020) by [The Adults with Incapacity \(Ethics Committee\) \(Scotland\) \(Coronavirus\) Amendment Regulations 2020 \(S.S.I. 2020/151\)](#), regs. 1, **2(2)**

Marginal Citations

- M1** [1978 c.29](#). Section 17C was inserted by section 21(2) of the [National Health Service \(Primary Care\) Act 1997 \(c.46\)](#) (“the 1997 Act”). Section 19 was amended by section 4 of and paragraph 29 of the Schedule to the [Medical \(Professional Performance\) Act 1995 \(c.51\)](#) and section 41(10) and (11) of and paragraph 39 of Schedule 2 to the 1997 Act (c.46).
- M2** [S.I. 1976/1213](#).

Changes to legislation:

There are currently no known outstanding effects for the The Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002, Section 3.