
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 18 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 personal, or general, medical services under sections 17C or 19 of the National Health Service (Scotland) Act 1978(1);
- (c) one registered nurse or registered midwife;
- (d) one registered medical practitioner having experience in clinical pharmacology;
- (e) one registered pharmaceutical chemist as defined by section 24(1) of the Pharmacy Act 1954(2) or a registered person as defined by Article 2(2) of the Pharmacy (Northern Ireland) Order 1976(3);
- (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 Professions Supplementary to Medicine Act 1960(4) 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 10 years.

(5) Where a person has been appointed as a member for a total of 10 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.

(1) 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).

(2) 1954 c. 61.

(3) S.I.1976/1213.

(4) 1960 c. 66.