

Status: Point in time view as at 30/12/2005.

Changes to legislation: National Health Service and Community Care Act 1990, SCHEDULE 1 is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Sections 1 and 2.

HEALTH AUTHORITIES AND FAMILY HEALTH SERVICES AUTHORITIES

^{F1}PART I

Textual Amendments

F1 Sch. 1 Pt. I repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), Sch. 3 (with Sch. 2 para. 6)

Regional health authorities

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- 1 (1) A Regional Health Authority shall consist of—
- (a) a chairman appointed by the Secretary of State;
 - (b) a prescribed number of members appointed by him;
 - (c) the chief officer of the authority;
 - (d) such other officers as may be prescribed; and
 - (e) not more than a prescribed number of other officers of the authority appointed by the chairman and the members specified in paragraphs (b) and (c) above.
- (2) Except in so far as regulations otherwise provide, no person who is an officer of the authority may be appointed under sub-paragraph (1)(b) above; and, without prejudice to any provision made by virtue of paragraph 12(a) of Schedule 5 to the principal Act (regulations as to appointment and tenure)—
- (a) at least one of the persons appointed under sub-paragraph (1)(b) above must hold a post in a university with a medical or dental school; and
 - (b) regulations may provide that all or any of the other persons appointed under sub-paragraph (1)(b) above must fulfil prescribed conditions or hold posts of a prescribed description.

District health authorities

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- 2 (1) A District Health Authority for a district in England shall consist of—
- (a) a chairman appointed by the Secretary of State;
 - (b) a prescribed number of members appointed by the Regional Health Authority whose region includes the district in question;

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- (c) the chief officer of the authority;
 - (d) such other officers as may be prescribed; and
 - (e) not more than a prescribed number of other officers of the authority appointed by the chairman and the members specified in paragraphs (b) and (c) above.
- (2) Except in so far as regulations otherwise provide, no person who is an officer of the authority may be appointed under sub-paragraph (1)(b) above; and, without prejudice to any provision made by virtue of paragraph 12(a) of Schedule 5 to the principal Act (regulations as to appointment and tenure), but subject to sub-paragraph (3) below, regulations may provide that all or any of the persons appointed under sub-paragraph (1)(b) above must fulfil prescribed conditions or hold posts of a prescribed description.
- (3) In the case of a prescribed authority, at least one of the persons appointed under sub-paragraph (1)(b) above must hold a post in a university with a medical or dental school.

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- 3 (1) A District Health Authority for a district in Wales shall consist of—
- (a) a chairman appointed by the Secretary of State;
 - (b) a prescribed number of members appointed by him;
 - (c) the chief officer of the authority;
 - (d) such other officers as may be prescribed; and
 - (e) not more than a prescribed number of other officers of the authority appointed by the chairman and the members specified in paragraphs (b) and (c) above.
- (2) Sub-paragraphs (2) and (3) of paragraph 2 above apply in relation to sub-paragraph (1) above as they apply in relation to sub-paragraph (1) of that paragraph.

F²PART II

Textual Amendments

F2 Sch. 1 Pt. II repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), Sch. 3 (with Sch. 2 para. 6)

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- 4 (1) A Family Health Services Authority in England shall consist of—
- (a) a chairman appointed by the Secretary of State;
 - (b) a prescribed number of members appointed by the Regional Health Authority which (in accordance with Section 15(1A) of the principal Act) is the relevant Regional Health Authority in relation to the Family Health Services Authority; and
 - (c) the chief officer of the Authority;
 - (d) such other officers as may be prescribed;

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and, if the Secretary of State so directs, the Authority shall also include not more than a prescribed number of other officers of the Authority appointed by the chairman and the members appointed under paragraphs (b) and (c) above.

- (2) No person who is an officer of the Authority may be appointed under sub-paragraph (1)(b) above; and, without prejudice to any provision made by virtue of paragraph 12(a) of Schedule 5 to the principal Act (regulations as to appointment and tenure), regulations may provide that all or any of the persons appointed under sub-paragraph (1)(b) above must fulfil prescribed conditions or hold posts of a prescribed description.

- 5 (1) A Family Health Services Authority in Wales shall consist of—

- (a) a chairman appointed by the Secretary of State;
- (b) a prescribed number of members appointed by him; and
- (c) the chief officer of the Authority;
- (d) such other officers as may be prescribed;

and, if the Secretary of State so directs, the Authority shall also include not more than a prescribed number of other officers of the Authority appointed by the chairman and the members appointed under paragraphs (b) and (c) above.

- (2) Sub-paragraph (2) of paragraph 4 above applies in relation to sub-paragraph (1) above as it applies in relation to sub-paragraph (1) of that paragraph.

PART III

AMENDMENTS OF PART III OF SCHEDULE 5 TO THE PRINCIPAL ACT

F36

Textual Amendments

F3 Sch. 1 Pt. III para. 6 repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), Sch. 3 (with Sch. 2 para. 6)

- 7 (1) In paragraph 9 of that Schedule (pay and allowances), in sub-paragraph (1) after the words “chairman of an authority” there shall be inserted “and to any member of a relevant authority who is appointed by the Secretary of State or a Regional Health Authority”.

- (2) At the end of the paragraph there shall be added the following sub-paragraph—

“(7) In sub-paragraph (1) above “relevant authority” means—

- (a) a Regional Health Authority, a District Health Authority or a Family Health Services Authority; or
- (b) any special health authority which is specified in Schedule 1 to the Authorities for London Post-Graduate Teaching Hospitals (Establishment and Constitution) Order 1982, in the Board of Governors of the Eastman Dental Hospital (Establishment and Constitution) Order 1984 or in any other provision of an order under

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this Act which specifies an authority for the purposes of this sub-paragraph.”

- 8 In paragraph 10 of that Schedule (staff) at the end of sub-paragraph (1A) there shall be added the words “and a direction under that sub-paragraph may relate to a particular officer or class of officer specified in the direction”.
- 9 In paragraph 12 of that Schedule (regulations as to tenure of office, committees and sub-committees and procedure etc. of authorities)—
- (a) at the end of paragraph (a) there shall be added the words “and any members of a committee or sub-committee of an authority who are not members of the authority”;
 - (b) after paragraph (a) there shall be inserted the following paragraph—
 - “(aa) the circumstances in which a member of an authority who is (or is to be regarded as) an officer of the authority may be suspended from performing his functions as a member”;and
 - (c) in paragraph (b) after the word “appointment” there shall be inserted “and constitution”.
- 10 After paragraph 12 of that Schedule there shall be inserted the following paragraph—
- “12A Regulations made by virtue of this Schedule or Schedule 1 to the National Health Service and Community Care Act 1990 may make provision (including provision modifying those Schedules) to deal with cases where the post of chief officer or any other officer of an authority is held jointly by two or more persons or where the functions of such an officer are in any other way performed by more than one person.”

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