
STATUTORY INSTRUMENTS

1990 No. 2024

**The National Health Service Trusts
(Membership and Procedure) Regulations 1990**

**PART I
GENERAL**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service Trusts (Membership and Procedure) Regulations 1990 and shall come into force on 9th November 1990

(2) In these Regulations unless the context otherwise requires—

“the Act” means the National Health Service and Community Care Act 1990;

“appointing authority” in relation to a director means the Secretary of State or Regional Health Authority or the relevant committee as appropriate, which appointed him;

“director” in relation to an NHS Trust includes its chairman;

“executive director” and “non-executive director” have the meaning assigned to them in section 5(5)(a) of the Act. “health service body” means—

- (a)** a health authority, a Family Health Services Authority or an NHS trust;
- (b)** a Health Board, a Special Health Board, the Common Services Agency for the Scottish Health Service or an NHS trust respectively constituted under section 2, 10 and 12A of the National Health Service (Scotland) Act 1978**(1)**;
- (c)** a State Hospital Management Committee constituted under section 91 of the Mental Health (Scotland) Act 1984**(2)**;
- (d)** the Dental Practice Board constituted by Regulations having effect under section 37 of the National Health Service Act 1977**(3)**;
- (e)** the Scottish Dental Practice Board constituted by Regulations having effect under section 4 of the National Health Service (Scotland) Act 1978**(4)**;
- (f)** the Public Health Laboratory Service Board continued in being by section 5(4) of the National Health Service Act 1977;
- (g)** the National Radiological Protection Board established by section 1 of the Radiological Protection Act 1970**(5)**;

(1) 1978 c. 29; section 2 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 7, paragraph 1 and the 1990 Act, section 28; section 10 was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 2; section 12A was inserted by the 1990 Act, section 31.

(2) 1984 c. 36.

(3) See S.I. 1973/1468. Section 37 was amended by the Health Services Act 1980 (c. 53), Schedule 1, paragraph 69 and by the Health and Medicines Act 1988 (c. 49), section 12.

(4) See S.I. 1974/505. Section 4 was amended by the Health and Medicines Act 1988, section 12.

(5) 1970 c. 46.

“general dental practitioner” means a dental practitioner who is providing general dental services in accordance with arrangements under section 35 of the National Health Service Act 1977;

“general medical practitioner” is a medical practitioner who is providing general medical services in accordance with arrangements under section 29 of the National Health Service Act 1977;

“operational date” has the meaning assigned to it in paragraph 3 (1)(e) of Schedule 2 to the Act;

“the relevant committee” means a committee of an NHS trust appointed under either regulation 17 or regulation 18 whichever is appropriate;

“trade union” has the meaning assigned to it in section 28 of the Trade Union and Labour Relations Act 1974⁽⁶⁾.

(3) in regulation 20–

“public body” includes–

- (a) any body established for the purposes of carrying on, under national ownership, any industry or part of any industry or undertaking;
- (b) the governing body of any university, university college or college, school or hall of a university; and
- (c) the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907⁽⁷⁾;

“securities” means–

- (a) shares or debentures, whether constituting a charge on the assets of the company or other body or not, or rights or interests in any shares or such debentures, or
- (b) rights (whether actual or contingent) in respect of money lent to or deposited with any industrial and provident society or building society;

“shares” means shares in the share capital of a company or other body or the stock of a company or other body.

(4) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation is a reference to the regulation bearing that number in these Regulations, and any reference in a regulation to a numbered paragraph is a reference to the paragraph bearing that number in that regulation.

⁽⁶⁾ 1974 c. 52.
⁽⁷⁾ 1907 c.xxxvi.