
STATUTORY INSTRUMENTS

1995 No. 622

The Family Health Services Appeal Authority Regulations 1995

disqualification for appointment

7.—(1) Subject to regulation 8 (cessation of disqualification), a person shall be disqualified as the chairman or as a non-officer member if—

- (a) he has within the preceding five years been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;
- (b) he has been adjudged bankrupt or has made a composition or arrangement with his creditors;
- (c) he has been dismissed, otherwise than by reason of redundancy, from any paid employment with a health service body;
- (d) he has had his name removed, by a direction under section 46 of the Act, from any list prepared under Part II of the Act and has not subsequently had his name included in such a list;
- (e) he is a person whose tenure of office as the chairman or as a member of a health service body has been terminated on the grounds that—
 - (i) it was not in the interests of the health service body or of the health service that he should continue to hold that office, or
 - (ii) he failed, without reasonable cause, to attend any meeting of that health service body for a period of six months;
- (f) he is the chairman or a member of a Regional Health Authority, a District Health Authority or a Family Health Services Authority;
- (g) he is the chairman or a director of an NHS trust;
- (h) he holds any paid appointment or office with a trade union which represents the interests of members who are employed by a health service body; or
- (i) he is a person who is, or has been—
 - (i) a medical practitioner;
 - (ii) a dental practitioner;
 - (iii) a registered pharmacist;
 - (iv) a registered ophthalmic optician or a registered dispensing optician within the meaning of the Opticians Act 1989(1); or
 - (v) a registered nurse, a registered midwife or a registered health visitor(2).

(2) For the purposes of paragraph (1)(a) the date of conviction shall be deemed to be the date on which the ordinary period allowed for making an appeal or application with respect to the conviction

(1) [1989 c. 44](#).

(2) See section 10(7) of the Nurses, Midwives and Health Visitors Act [1979 \(c. 36\)](#).

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expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its not being prosecuted.

(3) For the purposes of paragraph (1)(c) a person shall not be treated as having been in paid employment by reason only of his chairmanship or membership of a health service body.