

**2000 No. 2435**

**NATIONAL HEALTH SERVICE, ENGLAND AND  
WALES**

**The Ashworth, Broadmoor and Rampton Hospital  
Authorities (Functions and Membership) Amendment  
Regulations 2000**

<i>Made - - - -</i>	<i>11th September 2000</i>
<i>Laid before Parliament</i>	<i>11th September 2000</i>
<i>Coming into force</i>	<i>1st October 2000</i>

The Secretary of State for Health, in exercise of the powers conferred on him by section 126(4) of, and paragraph 12 of Schedule 5 to, the National Health Service Act 1977(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Ashworth, Broadmoor and Rampton Hospital Authorities (Functions and Membership) Amendment Regulations 2000 and shall come into force on 1st October 2000.

**Amendment of Regulations**

2. In the Ashworth, Broadmoor and Rampton Hospital Authorities (Functions and Membership) Regulations 1996(b), in regulation 8 (disqualification for appointment), after paragraph (3) add the following paragraph—

“(4) A person shall not be disqualified by paragraph (1)(f) from being a non-officer member by virtue of being the chairman or a non-executive director of an NHS trust during the period between the date on which the trust is established and its operational date.”

Signed by authority of the Secretary of State

*Yvette Cooper*  
Parliamentary Under Secretary of State for Public Health,  
Department of Health

11th September 2000

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(a) 1977 c. 49; section 126(4) was amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 65(2) and by the Health Act (c. 8) (“the 1999 Act”), Schedule 4, paragraph 37(6); paragraph 12 of Schedule 5 was amended by article 7 of S.I. 1985/39, by the 1990 Act, Schedule 1, paragraph 9, by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 60(e) and by the 1999 Act, Schedule 4, paragraph 39(4); see section 128(1), as amended by section 26(2)(i) of the 1990 Act, for the definition of “regulations”. The functions of the Secretary of State under these provisions which are exercisable in relation to a cross-border body but which, by their nature, are not functions which can be specifically exercised in relation to Wales, are exercisable concurrently by the Secretary of State by virtue of article 2(c) of, and the entry for the 1977 Act in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act.

(b) S.I. 1996/489, to which there are amendments not relevant to this instrument.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Ashworth, Broadmoor and Rampton Hospital Authorities (Functions and Membership) Regulations 1996 to provide that during the period between the establishment date of an NHS trust and its operational date, the chairman or a non-executive director of the trust may hold office as the chairman or a non-officer member of the Ashworth Hospital Authority, the Broadmoor Hospital Authority or the Rampton Hospital Authority.

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