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## EXPLANATORY NOTE

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

These Regulations made amendments to the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2001 (“the principal Regulations”) in connection with the designation of a Primary Care Trust as a Care Trust (“Care Trust”).

Regulation 3 amends the principal Regulations to make provision for the membership of Care Trusts so as to include, as non-officer members, at least one local authority member for each local authority partner in the Care Trust. The officer members of Care Trusts shall also include a person who has experience of the health-related functions of local authorities. Regulation 3 also makes provision so that the period of appointment of a local authority member of a Care Trust may not exceed his remaining period as a local authority member.

Regulation 4 amends the principal Regulations to provide that in the case of a Care Trust an officer member’s tenure of office shall not be terminated unless each relevant local authority has been consulted.

Regulation 5 amends the principal Regulations to make provision in relation to the termination and suspension of non-officer members of Care Trusts. Where a local authority no longer wishes a member nominated by it to be a member of the trust the Secretary of State must terminate that member’s tenure of office. It also requires consultation with each relevant local authority before any member’s tenure of office may be terminated under certain provisions. It also provides that where a member who is member of a local authority is suspended from being a member of the local authority he is suspended as a member of the Care Trust for the duration of the suspension.

Regulation 6 amends the principal Regulations to make provision in relation to the disqualification from appointment of chairman and non-officer members and for the cessation of such disqualification.

Regulation 7 amends Schedule 2 to the principal Regulations to make provision for the rules as to meetings and proceedings of Care Trusts.