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STATUTORY INSTRUMENTS

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**2001 No. 794**

**The National Health Service Appointments  
Commission Regulations 2001**

**Termination of tenure of office and suspension of chairman and members**

5.—(1) The chairman or a Regional Commissioner may resign his office at any time during his term of office by giving notice in writing to the Secretary of State.

(2) Where the Secretary of State is of the opinion that it is not in the interests of, or conducive to the good management of, the Commission or of the health service that the chairman or a Regional Commissioner should continue to hold office, he may forthwith terminate his tenure of office by giving him notice in writing to that effect.

(3) If the chairman or a Regional Commissioner fails to attend any meeting of the Commission for a period of three months the Secretary of State shall forthwith terminate that person's tenure of office unless he is satisfied that—

- (a) the absence was due to a reasonable cause; and
- (b) the person in question will be able to attend meeting of the Commission within such a period as the Secretary of State considers reasonable.

(4) Where a person has been appointed to be chairman or a Regional Commissioner, and—

- (a) he becomes disqualified for appointment under regulation 3, the Secretary of State shall forthwith notify him in writing of such disqualification; or
- (b) it comes to the notice of the Secretary of State that at the time of his appointment he was so disqualified, he shall forthwith declare that the person in question was not duly appointed and notify him in writing to that effect,

and upon receipt of any such notification, his tenure of office, if any, shall be terminated and he shall cease to act as such chairman or member.

(5) If it appears to the Secretary of State that the chairman or a Regional Commissioner has failed to comply with regulation 10 (disability on account of pecuniary interest) he may forthwith terminate that person's tenure of office by giving him notice in writing that effect.

(6) The chief officer of the Commission shall cease to hold office as a member of the Commission where he ceases to hold that post.

(7) If the chief officer of the Commission is suspended from his post in the Commission he shall be suspended from performing his functions as a member for the period of his suspension.