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STATUTORY INSTRUMENTS

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**2012 No. 1290**

**The Health Education England Regulations 2012**

**Suspension of non-officer members**

**6.**—(1) The Secretary of State may suspend a non-officer member from office while the Secretary of State considers whether—

- (a) to remove the member under regulation 5(2) or (8), or
- (b) the member has become disqualified for appointment under regulation 3, or was so disqualified at the time of appointment.

(2) The Secretary of State must give notice to the member of the decision to suspend and the suspension takes effect on the date on which the notification is received by the member.

(3) A notice under paragraph (2) may be—

- (a) delivered in person to the member, in which case the member is treated as receiving it when it was delivered, or
- (b) sent by first class post to the member's last known postal address, in which case the member is treated as receiving it on the third day after the day on which it is posted.

(4) The initial period of suspension must not exceed 6 months.

(5) The Secretary of State may review the member's suspension at any time.

(6) The Secretary of State may review the member's suspension if requested in writing by the member to do so, but need not carry out a review if a period of less than 3 months has elapsed since the beginning of the initial period of suspension.

(7) Following a review, the Secretary of State may—

- (a) revoke the member's suspension, or
- (b) suspend the member for another period of not more than 6 months from the expiry of the current period.

(8) The Secretary of State must revoke the member's suspension if at any time the Secretary of State decides that—

- (a) there are no grounds to remove the member from office under regulation 5(2) or (8),
- (b) there are such grounds but the Secretary of State is not minded to remove the member from office under those provisions, or
- (c) the member is not disqualified for appointment under regulation 3.