
STATUTORY INSTRUMENTS

2022 No. 634

The Health and Care Act 2022 (Consequential and Related Amendments and Transitional Provisions) Regulations 2022

PART 8

Related amendments

Amendment of the National Health Service Trusts (Membership and Procedure) Regulations 1990

220.—(1) The National Health Service Trusts (Membership and Procedure) Regulations 1990⁽¹⁾, as they apply to England, are amended as follows.

- (2) In regulation 3, in paragraph (1) for “the Secretary of State” substitute “NHS England”.
- (3) In regulation 4, in paragraph (5) for “the Secretary of State” substitute “NHS England”.
- (4) In regulation 7, in paragraph (1) for “the Secretary of State” substitute “NHS England”.
- (5) In regulation 9—
 - (a) in paragraph (1) for “the Secretary of State” substitute “NHS England”;
 - (b) in paragraph (3) for “the Secretary of State”, in both places it occurs, substitute “NHS England”;
 - (c) in paragraph (4) for “the Secretary of State”, in each place it occurs, substitute “NHS England”;
 - (d) in paragraph (5)—
 - (i) in sub-paragraph (a) for “the Secretary of State” substitute “NHS England”;
 - (ii) in sub-paragraph (b)—
 - (aa) for “the Secretary of State” substitute “NHS England”;
 - (bb) for “he”, in the second place it occurs, substitute “NHS England”;
 - (e) in paragraph (6)—
 - (i) for “the Secretary of State” substitute “NHS England”;
 - (ii) for “he” substitute “NHS England”;
 - (f) in paragraph (7) for “the Secretary of State” substitute “NHS England”;
 - (g) in paragraph (8)—
 - (i) for “the Secretary of State” substitute “NHS England”;
 - (ii) for “he” substitute “NHS England”;
 - (h) in paragraph (9) for “the Secretary of State”, in both places it occurs, substitute “NHS England”.

⁽¹⁾ S.I. 1990/2024, relevant amending instruments are S.I. 1996/1755, 1998/646, 2000/2434, 2001/3786, 2004/696, 2008/1269, 2010/720, 2012/1641; there are other amending instruments but none is relevant.

- (6) In regulation 9A—
- (a) in paragraph (1)—
 - (i) for “The Secretary of State” substitute “NHS England”;
 - (ii) for “the Secretary of State” substitute “it”;
 - (b) in paragraph (2) for “The Secretary of State” substitute “NHS England”;
 - (c) in paragraph (4) for “The Secretary of State” substitute “NHS England”;
 - (d) in paragraph (5) for “the Secretary of State” substitute “NHS England”.
- (7) In regulation 9C—
- (a) in paragraph (3) for “The Secretary of State” substitute “NHS England”;
 - (b) in paragraph (4) for “the Secretary of State” substitute “NHS England”;
 - (c) in paragraph (5) for “the Secretary of State” substitute “NHS England”;
 - (d) in paragraph (6) for “the Secretary of State” substitute “NHS England”;
 - (e) in paragraph (7)—
 - (i) for “The Secretary of State” substitute “NHS England”;
 - (ii) for “the Secretary of State” substitute “it”;
 - (f) in paragraph (8) for “the Secretary of State”, in both places it occurs, substitute “NHS England”.
- (8) In regulation 12—
- (a) in paragraph (3) for “the Secretary of State”, in both places it occurs, substitute “NHS England”;
 - (b) in paragraph (4) for “the Secretary of State” substitute “NHS England”;
 - (c) in paragraph (5)—
 - (i) for “the Secretary of State”, in both places it occurs, substitute “NHS England”;
 - (ii) for “him” substitute “it”;
 - (d) after paragraph (5) insert—

“(6) This regulation is subject to regulation 21.”.
- (9) In regulation 20, in paragraph (2)—
- (a) for “The Secretary of State” substitute “NHS England”;
 - (b) for “he” substitute “it”;
 - (c) for “him” substitute “NHS England”.
- (10) After regulation 20 insert—

“Saving of regulation 12 relating to the Health and Care Act 2022 (Consequential and Related Amendments and Transitional Provisions) Regulations 2022

- 21.**—(1) This regulation applies where a person—
- (a) applied to the Secretary of State before 1st July 2022 to remove a disqualification in accordance with regulation 12(3), and
 - (b) immediately before 1st July 2022 that application had not been determined in accordance with that regulation.

(2) Regulation 12 applies in respect of that application as if it had not been amended by the Health and Care Act 2022 (Consequential and Related Amendments and Transitional Provisions) Regulations 2022(2).”.