WELSH STATUTORY INSTRUMENTS

2020 No. 493 (W. 116)

NATIONAL HEALTH SERVICE, WALES

The Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010.

Regulation 3 enables, at the expiry of their term of appointment, a co-opted member of a Community Health Council to be re-appointed.

Regulation 4 removes the maximum period for which a person may serve as a member of a Community Health Council.

Regulation 5 enables, at the expiry of their term, a chair or vice-chair of a Community Health Council to be re-elected for a further term of up to two years.

Regulation 6 enables, at the expiry of their term, a member elected as a chair or vice-chair of a local committee of a Community Health Council to be re-elected for a further term of up to three years.

Regulation 7 amends the maximum term of service a chair of a Community Health Council may serve on the Community Health Councils Board from three years to five years.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2020 No. 493 (W. 116)

NATIONAL HEALTH SERVICE, WALES

The Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2020

Made	*6 May 2020*
Laid before Senedd Cymru	*7 May 2020*
Coming into force	*30 May 2020*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 203(9) and (10) of, and paragraph 2(a) of Schedule 10 to, the National Health Service (Wales) Act 2006(**1**).

Title and commencement

1.—(1) The title of these Regulations is the Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force on 30 May 2020.

Amendment of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010

2. The Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010(**2**) are amended as follows.

(**1**) 2006 c. 42. See section 206(1) for the definition of "regulations".

(**2**) S.I. 2010/288 (W. 37), amended by S.I. 2015/509 (W. 43); there is another amending instrument but it is not relevant to these Regulations.

Term of appointment of co-opted members

3. In regulation 5 (term of appointment of co-opted members), omit "and must not be reappointed as co-opted members after the expiry of their term".

Eligibility of members for re-appointment

4.—(1) Regulation 10 (eligibility of members for reappointment) is amended as follows.

(2) In paragraph (1), for "Subject to paragraphs (2), (3) and (4), a member" substitute "A member".

(3) Omit paragraphs (2), (3) and (4).

Election of chair and vice-chair

5.—(1) Regulation 15 (election of chair and vice-chair) is amended as follows.

(2) After paragraph (1) insert—

> "(1A) At the end of their term, a member elected as a chair or vice chair is eligible for re-election for a further maximum period of two years, but not being in any case longer than the remainder of the elected member's term as member of a Council."

(3) In paragraph (2), after "paragraph (1)" insert "or the two year period referred to in paragraph (1A)".

(4) In paragraph (4), after "appointed" insert "or re-appointed".

(5) In paragraph (5), after "appointed" insert "or re-appointed".

Appointment of local committees

6.—(1) Regulation 17 (appointment of committees to be known as local committees) is amended as follows.

(2) After paragraph (1) insert—

> "(1A) At the end of their term, a member elected as a chair or vice chair is eligible for re-election for a further maximum period of three years, but not being in any case longer than the remainder of that member's term as member of the relevant Council."

(3) In paragraph (2), after "appointed" insert "or re-appointed".

Eligibility of board members for re-appointment

7.—(1) Regulation 35 (eligibility of Board Members for re-appointment to the CHC Board) is amended as follows.

(2) In paragraph (1)—

(a) for “paragraphs (1)(a) and (b)” substitute “paragraph (1)(a)”;

(b) for “three” substitute “five”.

(3) After paragraph (1) insert—

“(1ZA) A Board member appointed under paragraph (1)(b) of regulation 34 may serve a maximum period of three years.”

(4) In paragraph (2), for “three” substitute “five”.

(5) After paragraph (2) insert—

“(2ZA) When calculating the three year period referred to in paragraph (1ZA) all periods of service as a Board member must be aggregated, which includes all periods of service before the 1 April 2010 and all periods of service resulting from any appointment under paragraph (1)(a) to (f) of regulation 34.”

Vaughan Gething
Minister for Health and Social Services, one of the Welsh Ministers
6 May 2020