STATUTORY INSTRUMENTS

1974 No. 9

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The Prescription Pricing Authority (Establishment and Constitution) Order 1974

Made - - -	*2nd January* 1974
Laid before Parliament	*17th January* 1974
Coming into Operation	*1st March* 1974

The Secretary of State for Social Services, in exercise of powers conferred upon him by sections 5(6) and 6(3) of the National Health Service Reorganisation Act 1973(**a**), and of all other powers enabling him in that behalf, hereby makes the following Order: —

Citation and commencement

1. This Order may be cited as the Prescription Pricing Authority (Establishment and Constitution) Order 1974 and shall come into operation on 1st March 1974.

Interpretation

2.—(1) In this Order, unless the context otherwise requires—

"The Act of 1946" means the National Health Service Act 1946(**b**);

"Administrator" means the officer appointed by an Area Health Authority by which a Family Practitioner Committee is established to act as Administrator to that Committee;

"Authority" means the Prescription Pricing Authority;

"Committee" means a Family Practitioner Committee and "Committees" shall be construed accordingly;

"member" means the chairman or other member of the Authority and "members" shall be construed accordingly;

"Membership and Procedure Regulations" means the National Health Service (Regional and Area Health Authorities: Membership and Procedure) Regulations 1973(**c**);

(**a**) 1973 c. 32. (**b**) 1946 c. 81. (**c**) S.I. 1973/1286 (1973 II, p. 3892).

and any other expression to which a meaning is assigned by the Act of 1946 has that meaning in this Order.

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(a) shall apply for the purposes of the interpretation of this Order as they apply for the purposes of the interpretation of an Act of Parliament.

Establishment of Prescription Pricing Authority

3. There is hereby constituted a special health authority which shall be known as the Prescription Pricing Authority for the purpose of performing such functions relating to the examining, checking and pricing of prescriptions for drugs, medicines and appliances supplied under arrangements made for the provision of pharmaceutical services as the Secretary of State may direct the Authority to perform on behalf of Committees established in England and such other functions as the Secretary of State may direct the Authority to perform on his behalf or on behalf of such Committees.

Constitution of the Authority

4.—(1) The Authority shall consist of twelve members of whom eight shall be persons appointed in accordance with the provisions of paragraph (2) of this Article, three shall be registered pharmacists appointed by the Secretary of State after consultation with such organisations as he may recognise as being representative of persons providing pharmaceutical services, and one shall be a medical practitioner appointed by the Secretary of State after consultation with such organisations as he may recognise as being representative of medical practitioners providing general medical services.

(2) The appointment of the eight members referred to in the preceding paragraph of this Article shall be made in accordance with the following provisions of this Article—

(*a*) Two members shall be appointed by each of the groups of Committees specified in the Schedule to this Order.

(*b*) A person so appointed shall be a member of, or the Administrator to, one of the Committees in the group by which the appointment is made.

(*c*) Any appointment of such members shall be made by such method as may from time to time be determined by such body as the Secretary of State may recognise for this purpose as representing the interests of Committees established in England and it shall be the duty of such body to inform the Secretary of State forthwith of the name and address of any member so appointed.

Term of office of members

5.—(1) Subject to the following provisions of this Order, the term of office of members shall be two years expiring on 31st March in any year.

(a) 1889 c. 63.

(2) One half of the original members, being one member appointed by each group of Committees specified in the Schedule to this Order and two of the members appointed by the Secretary of State as registered pharmacists, shall be appointed for a period ending on 31st March 1975 and the remainder of such members shall be appointed for a period ending on 31st March 1976.

Vacation of office

6. A member who was appointed in accordance with the provisions of Article 4(2) of this Order shall, upon ceasing to be a member of, or Administrator to, a Committee, forthwith cease to be a member of the Authority.

Eligibility of members for re-appointment

7. Subject to any provision of this Order, or to any provisions applied by this Order, relating to qualification for, or disqualification from, membership, a member shall, on the expiration of his term of office, be eligible for re-appointment.

Casual vacancies

8. Where, for any reason, a person ceases to be a member before the expiration of the period for which he was appointed, the term of office of any member appointed in his place shall be the remainder of such period and the appointment shall be made, in accordance with the provisions of this Order, by the Secretary of State or group of Committees, as the case may be, by whom the person ceasing to be a member had been appointed.

Election of chairman and vice-chairman

9.—(1) The members shall elect one of their number to be chairman for such period as the Authority may determine on making the election, not being a longer period than the remainder of the period of his membership of the Authority during which he is elected.

(2) The members shall elect one of their number, other than the chairman, to be vice-chairman for such period as the Authority may determine on making the election, not being a longer period than the remainder of the period of his membership of the Authority during which he is elected.

(3) It shall be the duty of the Authority to arrange for the Secretary of State to be notified forthwith of the names and addresses of the members elected as chairman and vice-chairman respectively.

(4) Any member elected to be chairman or vice-chairman may at any time resign from such office by giving notice in writing to the Secretary of the Authority, and the members shall thereupon elect another of their number as chairman or vice-chairman in accordance with the provisions of this Article.

Application of Membership and Procedure Regulations

10. The provisions of regulation 8 (disqualification from membership), regulation 9 (termination of membership), regulation 11 (appointment of com-

mittees and sub-committees), regulation 13 (meetings and proceedings), and regulation 14 (disability of members in proceedings on account of pecuniary interest) and of the Schedule (rules as to meetings and proceedings of Authorities) to the Membership and Procedure Regulations shall apply for the purposes of this Order as if any reference therein to an Authority was a reference to the Authority established by this Order, as if any reference therein to an appointing authority included a reference to each of the groups of Committees specified in the Schedule to this Order, and as if any reference therein to a joint committee and as if paragraph 1 of the Schedule to those Regulations were omitted.

Officers of the Authority

11.—(1) The Authority shall appoint a person approved by the Secretary of State to act as Secretary of the Authority and shall appoint such other officers as the Secretary of State is satisfied may be necessary.

(2) When an officer has attained the age of 65 years he shall cease to hold office unless the Authority, with the consent of the officer, and also, in the case of the Secretary of the Authority, of the Secretary of State, by resolution extend his period of service in his existing capacity or in some other capacity, for one year or any less period, and so on from time to time:

Provided that when the officer attains the age of 70 years, further extensions of service shall be given only where the Secretary of State is satisfied that there are special circumstances.

(3) The Authority shall pay to the Secretary and to their other officers remuneration in accordance with scales from time to time approved by the Secretary of State or such remuneration as the Secretary of State may in special circumstances authorise.

(4) No member of the Authority or person who has at any time in the previous twelve months been a member of the Authority shall be appointed to the office of Secretary or any other paid office under the Authority.

Reports by the Authority

12. The Authority shall make reports to the Secretary of State and to the Committees in such manner and at such time, being at least once in each year, as the Secretary of State may direct and shall furnish to the Secretary of State such information as he may from time to time require.

Keith Joseph,
Secretary of State for Social Services.

2nd January 1974.

Article 4(2)(*a*) SCHEDULE

Groups of Committees by which members are elected

Group of Committees	Region in which Area included	Area of constituent Committee
Group 1 NORTH AND EASTERN	Northern Region	Cleveland Area Cumbria Area Durham Area Northumberland Area Gateshead Area Newcastle upon Tyne Area North Tyneside Area South Tyneside Area Sunderland Area
	Yorkshire Region	Humberside Area North Yorkshire Area Bradford Area Calderdale Area Kirklees Area Leeds Area Wakefield Area
	Trent Region	Derbyshire Area Leicestershire Area Lincolnshire Area Nottinghamshire Area Barnsley Area Doncaster Area Rotherham Area Sheffield Area
	East Anglia Region	Cambridgeshire Area Norfolk Area Suffolk Area
Group 2 SOUTH EASTERN	North West Thames Region	Bedfordshire Area Hertfordshire Area Barnet Area Brent and Harrow Area Ealing, Hammersmith and Hounslow Area Hillingdon Area Kensington and Chelsea and Westminster Area
	North East Thames Region	Essex Area Barking and Havering Area Camden and Islington Area Enfield and Haringey Area City and East London Area Redbridge and Waltham Forest Area
	South East Thames Region	East Sussex Area Kent Area Bromley Area Greenwich and Bexley Area

Group of Committees	Region in which Area included	Area of constituent Committee
		Lambeth, Southwark and Lewisham Area
	South West Thames Region	Surrey Area West Sussex Area Croydon Area Kingston and Richmond Area Merton, Sutton and Wandsworth Area
Group 3 SOUTH WESTERN	Wessex Region	Dorset Area Hampshire Area Isle of Wight Area Wiltshire Area
	Oxford Region	Berkshire Area Buckinghamshire Area Northamptonshire Area Oxfordshire Area
	South Western Region	Avon Area Cornwall and Isles of Scilly Area Devon Area Gloucestershire Area Somerset Area
Group 4 MIDLANDS AND NORTH WESTERN	West Midlands Region	Hereford and Worcester Area Salop Area Staffordshire Area Warwickshire Area Birmingham Area Coventry Area Dudley Area Sandwell Area Solihull Area Walsall Area Wolverhampton Area
	Mersey Region	Cheshire Area Liverpool Area St Helens and Knowsley Area Sefton Area Wirral Area
	North Western Region	Lancashire Area Bolton Area Bury Area Manchester Area Oldham Area Rochdale Area Salford Area Stockport Area Tameside Area Trafford Area Wigan Area

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the establishment of a special health authority to be known as the Prescription Pricing Authority for the purpose of exercising, on behalf of Family Practitioner Committees established in England, functions relating to the pricing of prescriptions for drugs, medicines and appliances.

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