STATUTORY INSTRUMENTS

1983 No. 314

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The Rural Dispensing Committee Regulations 1983

Made - - - -	3*rd March* 1983
Laid before Parliament	11*th March* 1983
Coming into Operation	1*st April* 1983

The Secretary of State for Social Services, in exercise of powers conferred on him by section 12 of, and paragraph 12 of Schedule 5 to, the National Health Service Act 1977 **(a)**, and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Rural Dispensing Committee Regulations 1983 and shall come into operation on 1st April 1983.

Interpretation

2. In these regulations, unless the context otherwise requires—

"Committee" means the Rural Dispensing Committee;

"the Constitution Order" means the Rural Dispensing Committee (Establishment and Constitution) Order 1983 **(b)**;

"doctor" means a medical practitioner;

"member" means the chairman or another member of the Committee and "members" shall be construed accordingly;

"pharmacist" means a registered pharmacist.

Appointment of members

3. The members of the Committee shall be appointed by the Secretary of State.

Tenure of office of members

4. Subject to the following provisions of these regulations, the term of office of a member of the Committee shall be such period, not exceeding 4 years in the case of the chairman and 3 years in the case of any other member, expiring on 1st April in any year, as the Secretary of State may specify on making the appointment.

Casual vacancies

5. Where, for any reason, a person ceases to be a member before the expiration of the period for which he was appointed, the tenure of office of any member appointed in his place shall be the remainder of that period.

(a) 1977 c.49. **(b)** S.I. 1983/312.

Election of vice-chairman

6.—(1) The members shall elect a member who was appointed by virtue of Article 5*(d)* of the Constitution Order to be vice-chairman for such period as the Committee may determine on their making the election, not being a longer period than the remainder of the period of his tenure of office.

(2) The Committee shall forthwith inform the Secretary of State of the name and address of the member elected to be vice-chairman.

(3) Any member so elected may at any time resign the office of vice-chairman by giving notice in writing to the Secretary of State, and the members shall thereupon elect another member as vice-chairman in accordance with the provisions of paragraph (1) above.

Termination of tenure of office

7.—(1) Where a member ceases to be eligible for appointment under the paragraph of Article 5 of the Constitution Order by virtue of which he was appointed, the Secretary of State may, notwithstanding that such person may have been and may continue to be eligible for appointment under any other such paragraph, terminate his tenure of office.

(2) If the Secretary of State is of the opinion that it is not in the interest of the health service that the chairman or a member should continue to hold office he may, after consultation with the body by whom that person was recommended, forthwith terminate his tenure of office.

(3) Where the Secretary of State has appointed a person to be a member on the recommendation of a body which he has consulted pursuant to Article 5*(b)* or *(c)* of the Constitution Order he shall forthwith terminate that person's tenure of office if that body, being of the opinion that it is not in the interest of the health service that he should continue to be a member, so requests.

(4) Where the recommendation to which paragraph (3) above refers was made on the recommendation of two or more bodies that paragraph shall apply as if those bodies were a single body.

Meetings and proceedings

8.—(1) No business shall be transacted at a meeting of the Committee unless there are present the chairman, or, in his absence, the vice-chairman, and at least 6 other members including at least two members who are doctors, at least two members who are pharmacists and at least two members appointed by virtue of Article 5*(d)* of the Constitution Order.

(2) Every question at a meeting shall be determined by a majority of the votes of members present and voting on the question but the person presiding shall not be entitled to vote except in the case of an equality of votes when he shall have a casting vote.

Application of regulations

9.—(1) The provisions of regulation 5(1), (2), (4), (6) and (7) (termination of tenure of office), regulation 6 (eligibility for re-appointment), regulation 7 (disqualification for appointment) and regulation 8 (cessation of disqualification), regulation 11 (appointment of committees and sub-committees), regulation 12 (arrangements for the exercise of functions), regulation 13

(meetings and proceedings) and regulation 14 (disability of chairman and members on account of pecuniary interest) of, and paragraphs 1, 2(1) and (2), 3(1) and (2), 5 and 7 of Schedule 1 to, the National Health Service (Regional and District Health Authorities: Membership and Procedure) Regulations 1983(a) shall apply for the purposes of these regulations as if any reference therein to an Authority included a reference to the Committee, as if any reference therein to a member were a reference to a member other than the Chairman, as if there were omitted any reference to a Joint Committee and as if in regulation 5(4) for the words "a period of six months" there were substituted the words "three successive meetings".

(2) The provisions of paragraph 2(3) of the Schedule to the regulations mentioned in paragraph (1) above shall apply for the purposes of these regulations as if any reference therein to an Authority included a reference to the Committee and for the purposes of that paragraph delivery of any notice required to be delivered or sent by post to a member shall be deemed to have been effected if the notice is delivered or sent by post to the principal place of business of a body nominated by him for that purpose.

Norman Fowler,
Secretary of State for Social Services.

3rd March 1983.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations provide for the appointment and tenure of office of members of the Rural Dispensing Committee; the termination of and disqualification for office of members; and the proceedings of the Committee.

(a) S.I. 1983/315.

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