STATUTORY INSTRUMENTS

1984 No. 296

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The Voluntary Organisations (Joint Consultative Committees) Order 1984

Made - - - -	*7th March* 1984
Laid before Parliament	*9th March* 1984
Coming into Operation	*1st April* 1984

The Secretary of State for Social Services, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by section 22(3A), (4) and (6) of the National Health Service Act 1977 (**a**) and of all other powers enabling them in that behalf, after consultation with such associations of local authorities as appear to them to be concerned and with those local authorities with whom consultation appears to them to be desirable, hereby make the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Voluntary Organisations (Joint Consultative Committees) Order 1984 and shall come into operation on 1st April 1984.

(2) In this order, unless the context otherwise requires,

"appropriate Regional Health Authority" means—

(a) in a case where all the health authorities represented on the committee are included in the region of one Regional Health Authority, that Authority;

(b) in any other case, such Regional Health Authority as the Secretary of State may direct;

"committee" means a joint consultative committee established under section 22 of the National Health Service Act 1977.

Representation of voluntary organisations on committees

2. There shall be represented on each committee, in addition to the members appointed by health authorities and local authorities under the provisions of the Health Authorities and Local Authorities Joint Consultative Committees Order 1974 (**b**), three members appointed in accordance with the provisions of this order by voluntary organisations.

(**a**) 1977 c.49; subsections (3A) and (6) of section 22 were inserted by paragraph 2*(a)* and *(c)* of, and subsection (4) thereof was amended by paragraph 2*(b)* of, Schedule 5 to the Health and Social Services and Social Security Adjudications Act 1983 (c.41.).

(**b**) S.I. 1974/190; the relevant amending instrument is S.I. 1982/288, Article 10.

Appointment of members by voluntary organisations

3.—(1) In England the appropriate Regional Health Authority and in Wales the Secretary of State shall, after consultation with each health authority and local authority represented on the committee, invite such voluntary organisations as appear to that Authority or, as the case may be, the Secretary of State to have an interest in services of common concern to those authorities to make application for inclusion in the list of such organisations by which members are to be appointed to the committee and to nominate a person for appointment.

(2) An organisation may nominate any person, whether he is a member of a voluntary organisation or not, for appointment to the committee but no organisation may nominate more than one person.

(3) The appropriate Regional Health Authority or, as the case may be, the Secretary of State shall, not less than one month after applications and nominations have been invited in accordance with paragraph (1) of this article, determine which voluntary organisations should be invited to take part in making the appointment of members to the committee.

(4) The appropriate Regional Health Authority or, as the case may be, the Secretary of State shall arrange for a ballot to be held among the voluntary organisations invited to take part in making the appointments, for the election from among those nominated by those organisations of the members to be appointed to the committee and of at least three other persons who, in the event of a vacancy arising before the term of office of any of those members expires, would be eligible to fill the vacancy.

(5) A person elected to be a member of the committee is thereby appointed to the committee by the voluntary organisations that elected him and the appropriate Regional Health Authority or, as the case may be, the Secretary of State shall, as soon as practicable after the ballot, notify the voluntary organisations invited to take part in making the appointments and the person acting as secretary to the committee of the names of the members so appointed and of the other persons eligible for appointment in the event of a vacancy and of the order in which those persons succeeded in the ballot.

Term of office of members

4.—(1) Subject to paragraph (2) of this article, the term of office of members appointed by voluntary organisations to a committee before 31st December 1988 shall be for a period ending on that date and thereafter the term of office of members shall be for a period of four years expiring on 31st December in any year.

(2) The term of office of a member appointed to fill a vacancy shall be the remainder of the term for which his predecessor was appointed.

Eligibility of members for re-appointment

5. A member shall on the expiration of his term of office be eligible for nomination for re-appointment.

Termination of membership

6.—(1) A member may resign at any time during his term of office on giving notice in writing to the person acting as secretary to the committee who shall notify in England the appropriate Regional Health Authority and in Wales the Secretary of State, of his resignation.

(2) If a member has been absent from three consecutive meetings of the committee he shall cease to be a member of the committee and the person acting as secretary to the committee shall notify the appropriate Regional Health Authority or, as the case may be, the Secretary of State, of the termination of his membership.

(3) Where a vacancy arises on the committee the person acting as secretary to the committee shall invite to fill the vacancy one of the persons elected under article 3(4) of this order for this purpose and the order in which those persons succeeded in the ballot shall determine the order in which they should be invited to fill the vacancy.

(4) A person elected to fill a vacancy who is invited, and agrees, to fill a vacancy is thereby appointed to the committee by the voluntary organisations that elected him.

Expenses of members

7.—(1) The health authorities and local authorities represented on the committee shall, in such shares as may be agreed between them, defray expenses which have reasonably been incurred by members of the committee appointed by voluntary organisations.

(2) If the authorities fail to agree the Secretary of State shall determine what proportion of the expenses is to be borne by each authority.

Signed by authority of the Secretary of State for Social Services.

K. Clarke,
Minister of State,
Department of Health and Social Security.

6th March 1984.

Nicholas Edwards,
Secretary of State for Wales.

7th March 1984.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes provision for the representation on each joint consultative committee established in England and Wales under section 22 of the National Health Service Act 1977 of three members appointed by voluntary organisations (article 2).

The Order requires Regional Health Authorities in England and the Secretary of State in Wales to invite voluntary organisations to submit applications to take part in making appointments to the committee and nominations for appointment; to determine which voluntary organisations should be invited to make the appointments; and to arrange a ballot among the voluntary organisations so invited for the election of members and other persons willing to act as members in the event of a vacancy (article 3). It also makes provision as to the term of office of members (article 4); their eligibility for re-appointment (article 5); termination of membership (article 6); and the defrayment of their expenses by health and local authorities represented on the committee (article 7).

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