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**Changes to legislation:** Health Act 2009, Paragraph 5 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 3

#### NHS AND OTHER HEALTH APPOINTMENTS: SUSPENSION

##### PART 1

##### AMENDMENTS OF ENACTMENTS

##### *Health Protection Agency Act 2004 (c. 17)*

- 5 (1) Paragraph 1 is amended as follows.
- (2) After sub-paragraph (3) insert—
- “(3A) Where the membership of a non-executive member is suspended in accordance with any regulations made under paragraph 8(2)(d), that member's appointment is to be disregarded at any time during the suspension for the purpose of determining the appointments to be made under sub-paragraph (3).”
- (3) After sub-paragraph (5) insert—
- “(5A) But the Secretary of State may by regulations—
- (a) provide that if the chairman's membership is suspended the Secretary of State may direct that the appointment of the deputy chairman under sub-paragraph (5) is to cease to have effect; and
- (b) make provision about the appointment by the Secretary of State in those circumstances of another non-executive member to be deputy chairman.”
- (4) In sub-paragraph (7), after “sub-paragraph” insert “ (5A) or ”.

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#### Commencement Information

**II** Sch. 3 para. 5 in force at 19.1.2010 by S.I. 2010/30, art. 2(d)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(6)(ca) inserted by [2022 c. 31 Sch. 3 para. 57\(b\)](#)
- s. 2(6)(ea) inserted by [2022 c. 31 Sch. 3 para. 57\(c\)](#)

**Commencement Orders yet to be applied to the Health Act 2009**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2011/1255 art. 2](#) amendment to earlier commencing SI 2010/1068 art. 2