



Health and Social Care Act 2012

2012 CHAPTER 7

PART 4

NHS FOUNDATION TRUSTS & NHS TRUSTS

Governance and management

157 Meetings

(1) After paragraph 27 of Schedule 7 to the National Health Service Act 2006 insert—

“Annual meeting of members

- 27A (1) A public benefit corporation must hold an annual meeting of its members.
- (2) The meeting must be open to members of the public.
- (3) At least one member of the board of directors of the corporation must attend the meeting and present the following documents to the members at the meeting—
- (a) the annual accounts,
 - (b) any report of the auditor on them,
 - (c) the annual report.
- (4) Where an amendment is made to the constitution in relation to the powers or duties of the council of governors of a public benefit corporation (or otherwise with respect to the role that the council has as part of the corporation)—
- (a) at least one member of the council of governors must attend the next meeting to be held under this paragraph and present the amendment, and
 - (b) the corporation must give the members an opportunity to vote on whether they approve the amendment.

Status: This is the original version (as it was originally enacted).

- (5) If more than half of the members voting approve the amendment, the amendment continues to have effect; otherwise, it ceases to have effect and the corporation must take such steps as are necessary as a result.”
- (2) In paragraph 28 of that Schedule (meeting of council of governors to consider annual accounts and reports), the existing text of which becomes sub-paragraph (1), after that sub-paragraph insert—
- “(2) Nothing in sub-paragraph (1) prevents the council of governors from holding a general meeting more than once a year.”
- (3) After that paragraph insert—

“Combined meetings of members and governors

- 28A A public benefit corporation may hold a meeting which combines a meeting under paragraph 27A with a meeting under paragraph 28.”