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STATUTORY INSTRUMENTS

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**1991 No. 564**

**The Common Services Agency (Membership  
and Procedure) Regulations 1991**

**PART IV**

**PROCEDURE OF MANAGEMENT COMMITTEE**

**Meetings and minutes**

7.—(1) At every meeting of the Committee, the chairman, if present, shall preside.

(2) If the chairman is absent from any meeting, the vice-chairman, if present, shall preside, and if the chairman and vice-chairman are both absent, the members present at the meeting shall elect from among themselves a person to act as chairman for that meeting who is not also an officer of the Agency, a Health Board or the Secretary of State.

(3) All acts of, and all questions coming and arising before the Committee shall be done and decided by a majority of the members of the Committee present and voting at a meeting of the Committee and, in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

(4) Minutes of every meeting of the Committee shall be forwarded to the Secretary of State not later than one week before the date of the next meeting of the Committee after that to which they relate.

**Conflict of interest**

8.—(1) Subject to such exceptions and qualifications as may, with the approval of the Secretary of State, be specified in standing orders, if a member has any pecuniary or other interest, direct or indirect, in any contract or proposed contract (not being a contract for the provision of any of the services mentioned in Part 11 of the Act) or other matter, and is present at a meeting of the Committee or of a sub-committee of the Committee at which the contract or other matter is the subject of consideration, he shall at the meeting, as soon as practicable after the commencement thereof, disclose the fact, and shall not take part in the consideration and discussion of, or vote on any question with respect to, the contract or other matter.

(2) The Secretary of State may, subject to such conditions as he may think fit to impose, remove any disability imposed by this regulation in any case in which it appears to him in the interests of the national health service that the disability should be removed.

(3) Any remuneration, compensation or allowances payable to a chairman or other member by virtue of paragraphs 3A, 5 or 7 of Schedule 5 to the Act shall not be treated as a pecuniary interest for the purpose of this regulation.

### **Power to make standing orders**

9. Subject to such directions as may be given by the Secretary of State, the Committee shall make, and may vary and revoke, standing orders for the regulation of the procedure and business of the Committee and of any sub-Committee of the Committee and in particular—

- (a) for the times and places of the meetings of the Committee or sub-committee which, in the case of the Committee, shall be held not less often than once in every three months;
- (b) for due notice of the time and place of each meeting of the Committee or of a subcommittee of the Committee and, subject to any exceptions which may be mentioned in the standing orders, of the business to be transacted thereat, to be given to members;
- (c) for the chairman of the Committee to call a meeting of the Committee at any time or on being required so to do on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting and signed by one third of the whole number of members of the Committee including at least two members who are not also officers of the Agency, a Health Board or of the Secretary of State, and for such a meeting to be held within fourteen days of receipt of the requisition, and to provide that no business shall be transacted at the meeting other than that specified in the requisition;
- (d) for recording the names of members present at a meeting of the Committee or of a sub-committee of the Committee;
- (e) for the drawing up, signing, approval and circulation of minutes recording the proceedings of meetings of the Committee or of a sub-committee of the Committee including any decision or resolution of the Committee;
- (f) for specifying the exceptions and qualifications referred to in regulation 8 (conflict of interest);
- (g) for the constitutional procedures of sub-committees of the Committee including the power of the Committee to co-opt persons to sub-committees;
- (h) for providing that no business shall be transacted at a meeting of the Committee unless at least one-third of the whole number of members of the Committee, of whom at least two should be members who are not also officers, of the Agency, a Health Board or of the Secretary of State, are present thereat;
- (i) for the adjournment of a meeting of the Committee or of a sub-committee of the Committee to any other day, hour and place;
- (j) for the circumstances in which any member of the committee may be suspended from the Committee or disqualified for taking any part in any business of the Committee on reasonable cause shown.

### **Revocation**

10. The National Health Service (Common Services Agency: Membership and Procedure) (Scotland) Regulations 1975(1), are hereby revoked.