
WELSH STATUTORY INSTRUMENTS

2009 No. 1385

The Public Health Wales National Health Service
Trust (Membership and Procedure) Regulations 2009

PART II

Membership

Termination of tenure of office of chair and non-executive directors

10.—(1) The chair or a non-executive director of the Trust may resign his or her office at any time during the period for which he or she was appointed by giving notice in writing to the Welsh Ministers.

(2) Where during his or her period of directorship a non-executive director of the Trust is appointed chair of the Trust, his or her tenure of office as non-executive director will terminate when his or her appointment as chair takes effect.

(3) If the Welsh Ministers are of the opinion that it is not in the interests of the health service for a person appointed as a chair or non-executive director of the Trust to continue to hold that office, the Welsh Ministers may immediately terminate that person's tenure of office.

(4) If a chair or non-executive director of the Trust has not attended a meeting of the Trust for a period of six months the Welsh Ministers will immediately terminate his or her tenure of office unless the Welsh Ministers are satisfied that—

- (a) the absence was due to a reasonable cause; and
- (b) the chair or non-executive director will be able to attend meetings of the Trust within such period as the Welsh Ministers consider reasonable.

(5) Where a person has been appointed the chair or non-executive director of the Trust—

- (a) if that person becomes disqualified for appointment under regulation 15 the Welsh Ministers will immediately notify him or her in writing of such disqualification; or
- (b) if it comes to the notice of the Welsh Ministers that at the time of that person's appointment he or she was so disqualified, they will immediately declare that the person was not duly appointed and so notify him or her in writing,

and upon receipt of any such notification, his or her tenure of office, if any, will be terminated and that person will cease to act as chair or non-executive director.

(6) A person appointed as chair or non-executive director of the Trust must immediately notify the Trust if that person becomes disqualified for appointment under regulation 15.

(7) If it appears to the Welsh Ministers that the chair or non-executive director of the Trust has failed to comply with regulation 24 (disclosure etc on account of pecuniary interest) they may immediately terminate that person's tenure of office.

(8) Where any one of the non-executive directors referred to respectively in—

- (a) paragraph (c) of regulation 5(1) cease to be a member or employee of the voluntary organisation in Wales;

(b) paragraph (d) of regulation 5(1) cease to be an officer of the trade union or employee representative body
the Welsh Ministers will terminate his or her appointment as non-executive director.