
WELSH STATUTORY INSTRUMENTS

2022 No. 251

The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022

PART 6

Amendments to the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009

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21. The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009(1) are amended as follows.

Amendments to regulation 1(2)

- 22.** In regulation 1(2) (citation, commencement and interpretation)—
- (a) in the definition of “appointee”, after “chair” insert “, vice-chair”;
 - (b) in the definition of “director”, after “chair” insert “and vice-chair”.

Amendments to regulation 2

- 23.** In regulation 2 (maximum number of directors)—
- (a) in paragraph (1)—
 - (i) for “11” substitute “12”;
 - (ii) after “chair” insert “and vice-chair”;
 - (b) in paragraph (2)—
 - (i) after “chair” insert “and vice-chair”;
 - (ii) for “5” substitute “6”.

Amendment to regulation 4(c)

- 24.** In regulation 4(c) (executive directors), for “three” substitute “four”.

Amendments to regulation 8

- 25.** In regulation 8 (tenure of office of chair and directors)—
- (a) in the heading, after “chair” insert “, vice-chair”:

(1) *S.I. 2009/1385 (W. 141)*, amended by *S.I. 2012/1641* and *S.I. 2013/235*; there are other amending instruments but none is relevant.

- (b) in paragraph (1), after “chair” insert “, vice-chair”.

Amendments to regulation 10

- 26.** In regulation 10 (termination of tenure of office of chair and non-executive directors)—
- (a) in the heading, after “chair” insert “, vice-chair”;
 - (b) in paragraph (1), after “chair” insert “, vice-chair”;
 - (c) in paragraph (2), after “chair”, in both places it occurs, insert “or vice-chair”;
 - (d) in paragraph (3), after “chair” insert “, vice-chair”;
 - (e) in paragraph (4), after “chair”, in both places it occurs, insert “, vice-chair”;
 - (f) in paragraph (5), after “chair”, in both places it occurs, insert “, vice-chair”;
 - (g) in paragraph (6), after “chair” insert “, vice-chair”;
 - (h) in paragraph (7), after “chair” insert “, vice-chair”.

Amendments to regulation 11

- 27.** In regulation 11 (suspension of chair and non-executive directors), after “chair”, in each place it occurs, insert “, vice-chair” (including the heading).

Omission of regulation 13

- 28.** Omit regulation 13.

Amendment to regulation 14

- 29.** In regulation 14(1) (eligibility for reappointment), after “chair” insert “, vice-chair”.

Amendments to regulation 15

- 30.** In regulation 15 (disqualification for appointment of chair and non-executive directors)—
- (a) in the heading, after “chair” insert “, vice-chair”;
 - (b) in paragraph (1), after “chair”, in the first place it occurs, insert “, vice-chair”;
 - (c) in paragraph (4), after “chair”, in both places it occurs, insert “, vice-chair”.

Omission of regulation 17

- 31.** Omit regulation 17.

Amendment to regulation 18

- 32.** For regulation 18 (powers of vice-chair), substitute—

“**18.** Where the chair of the Trust—

- (a) has died;
- (b) has ceased to hold office; or
- (c) is unable to perform the duties of chair owing to illness, absence from England and Wales, suspension under regulation 11 or any other cause,

the vice-chair must act as chair until a new chair is appointed or the existing chair resumes the duties of chair; and references to the chair in Schedule 2 must, so long as there is no

chair or the chair is unable to perform their duties, be taken to include references to the vice-chair.”

Amendment to regulation 21

33. In regulation 21 (committee for appointing chief officer as director), after “chair” insert “, vice-chair”.

Amendment to regulation 22

34. In regulation 22 (committee for appointing executive directors other than chief officer), after “chair” insert “, vice-chair”.

Amendments to Schedule 1

35. In Schedule 1 (procedures for appointment of the chair and non-executive directors)—

- (a) in the heading, after “chair” insert “, vice-chair”;
- (b) in paragraph 1, after “chair” insert “, vice-chair”.

Amendments to Schedule 2

36. In Schedule 2 (rules as to meetings and proceedings of the Trust), in paragraph 3—

- (a) after sub-paragraph (1) insert—
 - “(1A) If the chair is absent from the meeting, the vice-chair, if present, must preside.”;
- (b) in sub-paragraph (2) omit “(if any)”.