

1994 No. 175

HEALTH AND PERSONAL SOCIAL SERVICES**The Northern Ireland Blood Transfusion Service
(Special Agency) (Establishment and Constitution)
Order (Northern Ireland) 1994**

Made 4th May 1994

Coming into operation 1st June 1994

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 3(1), (2), (4) and (6) of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990(a) and of all other powers enabling it in that behalf, and after consultation, in accordance with Article 3(5) of that Order, with such bodies as it recognises as representing officers who in its opinion are likely to be transferred or affected by transfers in pursuance of this order, hereby makes the following order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the Northern Ireland Blood Transfusion Service (Special Agency) (Establishment and Constitution) Order (Northern Ireland) 1994 and shall come into operation on 1st June 1994.

(2) In the order—

“the Agency” means the Northern Ireland Blood Transfusion Service (Special Agency);

“member” includes chairman.

Establishment of the Northern Ireland Blood Transfusion Service (Special Agency)

2. There is hereby established a special health and social services agency which shall be known as the Northern Ireland Blood Transfusion Service (Special Agency).

Constitution of the Agency

3. The Agency shall consist of such number of members as the Department may determine, all of whom shall be appointed by the Department.

(a) S.I. 1990/247 (N.I. 3)

Tenure of office

4. Subject to Article 5, the tenure of office of a member shall be four years or such other lesser period as may be determined by the Department at the time the appointment is made.

Termination of tenure of office

5.—(1) A member may resign his office at any time during the period for which he was appointed by giving notice in writing to the Department.

(2) Where the Department is satisfied that it is not in the interests of the Agency or the health and personal social services that a person whom it has appointed as a member under Article 3 should continue to hold that office, it may forthwith terminate that member's tenure of office.

(3) Where the place of a member becomes vacant before the expiration of his tenure of office whether by death, resignation or otherwise, the vacancy shall be filled by appointment by the Department and any person so appointed shall hold office for the remainder of the tenure of office of the former member.

Proceedings of the Agency

6. The proceedings of the Agency shall not be invalidated by any vacancy in the membership of the Agency or by any defect in the appointment of any of its members.

Transfer of staff

7. Any officer of the Eastern Health and Social Services Board who immediately before the date upon which this order comes into operation is employed by that Board in the Northern Ireland Blood Transfusion Service shall be transferred to the Agency on the date of the coming into operation of this order and the contract of employment between each officer and the Eastern Health and Social Services Board shall be modified so as to substitute the Agency as the employer.

Enforceability of rights and liabilities

8. Any right or liability which was enforceable by or against the Eastern Health and Social Services Board in respect of the employment by that Board of any officer who is transferred to the employment of the Agency by virtue of Article 7 shall be enforceable by or against the Agency.

Protection of officers

9. The scale of remuneration of any officer transferred to the employment of the Agency by virtue of Article 7 and, taken as a whole, the other terms and conditions of the employment of that officer shall be no less favourable than the scale of remuneration, terms and conditions enjoyed by him before the transfer.

Sealed with the Official Seal of the Department of Health and Social Services on 4th May 1994.

(L.S.)

John McGrath

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This order provides for the establishment and constitution of a special health and social services agency, to be known as the Northern Ireland Blood Transfusion Service (Special Agency), for the purpose of carrying out such functions as the Department of Health and Social Services may direct in accordance with Article 4(1) of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990.