

## **EXPERT ADVISORY GROUPS**

### **RULES GOVERNING PROCEEDINGS**

The Secretary of State for Health makes the following rules to regulate the proceedings of Expert Advisory Groups appointed under paragraphs 3 and 4 of the Schedule 1A to the Medicines Act 1968, in exercise of the powers conferred on her by paragraph 9(2) of that Schedule.

#### **Interpretation**

1. In these Rules—

“the Code of Practice” means the Code of Practice for Chairmen and Members of the Commission on Human Medicines, Certain Section 4 Committees and Expert Advisory Groups;

“EAG” means an Expert Advisory Group;

“the Secretariat” means the staff provided to an Expert Advisory Group by the Medicines and Healthcare Products Regulatory Agency, pursuant to paragraph 7 of Schedule 1A to the Medicines Act 1968.

#### **Functions of the EAG**

2.—(1) The EAG shall consider such matters and provide such advice and assistance as fall within the functions delegated to the EAG by the Advisory Body which appointed that EAG.

(2) The functions delegated to an EAG by an Advisory Body shall be set out in the terms of reference of the EAG.

#### **Vice-chairmen**

3.—(1) The chairman shall, [after consultation with the other members] appoint one or more members to be vice-chairmen of the EAG.

(2) Where a vice-chairman ceases to be a member of an EAG he shall cease to be vice-chairman of that EAG.

(3) A vice-chairman of an EAG may resign from the office by notice in writing to the chairman of the EAG.

(4) [The chairman of an EAG may, after consultation with the other members, terminate the tenure of office of a vice-chairman.]

#### **Meetings**

4. The chairman of an EAG may call a meeting of the EAG at any time.

5. A meeting of an EAG, other than the first meeting, may be held by telephone or video conference.

6.—(1) At any meeting of the EAG the chairman, if present, shall preside.

(2) If the chairman is absent from the meeting, a vice-chairman, if there is one and he is present, shall preside.

(3) If the chairman and all vice-chairmen are absent, the members present shall choose who shall preside.

7. [If the person presiding [after consultation with the other members] is not satisfied that the EAG has sufficient expertise or experience to discuss any item of business, he shall postpone consideration of that item to a subsequent meeting.]

**8.**—(1) An EAG may formulate its advice, findings, conclusions or recommendations on any issue by consensus among the members present at the meeting.

(2) If the person presiding determines that a consensus cannot be reached, the question shall be determined by a majority of the votes of the members, other than the person presiding.

(3) In the case of an equality of votes, the person presiding shall have a casting vote.

**9.**—(1) The minutes of the proceedings of a meeting of the EAG shall record—

(a) the names of the members present at the meeting;

(b) any interests declared by members in accordance with the Code of Practice;

(c) if any matter is determined by voting, the number of votes in favour and the number of votes not in favour, and the reasons for the majority and minority opinions.

(2) The minutes of a meeting shall be drawn up and submitted for agreement at the next meeting of the EAG.

### **Absence of members**

**10.**—(1) If a member of an EAG has been notified of the date of a meeting of the EAG and is unable to attend that meeting he shall notify the Secretariat.

(2) The member shall notify the Secretariat at least 3 weeks before the date of the meeting, unless the member became aware of the need for his absence less than 3 weeks before the date of the meeting, in which case he shall notify the Secretariat as soon as reasonably practicable.

### **Interests**

**11.**—(1) A member of an EAG shall hold and declare interests in accordance with the Code of Practice.

(2) If a member declares an interest in a matter under discussion at a meeting of an EAG, the chairman of that EAG shall decide whether, or the extent to which, the member should take part in the proceedings, in accordance with the Code of Practice.

### **Confidentiality of proceedings**

**12.**—(1) The proceedings of a EAG are confidential in nature and shall not be open to the public.

(2) A member of an EAG shall hold any documents provided to them for the purposes of the EAG's business securely.

(3) A member of an EAG shall not disclose the details of the proceedings of the EAG, unless—

(a) the member is authorised to do so by the chairman of the EAG or the EAG;

(b) the details have been included in any published minutes of the EAG; or

(c) the member is required to disclose that information by or under any enactment or court order.

Signed by authority of the Secretary of State

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Member of the Senior Civil Service  
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