

HEALTH ACT 2006

EXPLANATORY NOTES

OVERVIEW OF THE STRUCTURE OF THE ACT

Part 5

22. **Part 5** of the Act contains provisions for replacing the NHS Appointments Commission with a new organisation called the Appointments Commission. This is in line with the Government's response to the Public Administration Select Committee (June 2003)¹, which indicated that some Departments could benefit from using the services of the NHS Appointments Commission to support their sponsor teams in making appointments but that statutory authority would be needed to achieve this. The Act will establish the Appointments Commission as a Non-Departmental Public Body and give it powers to exercise, if directed to do so, the appointment functions of the Secretary of State and the Privy Council in relation to the appointment of chairmen and non-executive members to NHS and other health and social care bodies and health professional regulatory bodies and also certain appointment powers of the National Assembly for Wales. The Appointments Commission may also assist, if requested to do so, the Boards of NHS foundation trusts with their similar powers of appointment and also assist, if requested to do so, English Ministers with their similar powers of appointment to other public bodies.

¹ <http://www.publications.parliament.uk/pa/cm200203/cmselect/cmpubadm/165/16502.htm>