



Health Act 2006

2006 CHAPTER 28

PART 5

APPOINTMENTS COMMISSION

Other functions

63 Commission to assist other bodies with appointments

- (1) The Commission may enter into arrangements under subsection (2) with the board of governors of an NHS foundation trust.
- (2) Arrangements under this subsection are arrangements providing for the Commission to assist the board in connection with the exercise of their powers relating to—
 - (a) the appointment of the chairman and non-executive directors under paragraph 17 of Schedule 1 to the 2003 Act; or
 - (b) the appointment of the initial chairman and the initial non-executive directors in accordance with paragraph 19 of that Schedule.
- (3) The Commission may enter into arrangements under subsection (4) with—
 - (a) any Minister of the Crown exercising functions in relation to England, or
 - (b) any officer acting on behalf of such a Minister.
- (4) Arrangements under this subsection are arrangements providing for the Commission to assist the Minister or officer in connection with the exercise by him of any power relating to—
 - (a) the appointment of the chairman of any body specified in the arrangements, or
 - (b) the appointment of non-executive members of such a body.
- (5) For the purposes of subsections (3) and (4) it is immaterial that the body's functions are not exercisable only in relation to England.

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Changes to legislation: There are currently no known outstanding effects for the Health Act 2006, Cross Heading: Other functions. (See end of Document for details)

- (6) But arrangements may not be entered into under subsection (4) in relation to any powers that are exercisable by a Minister of the Crown jointly or concurrently with, or after consultation with—
- (a) a devolved authority, or
 - (b) any other person who is not a Minister of the Crown.
- (7) In this section—
- (a) “arrangements” means arrangements, whether contractual or otherwise;
 - (b) references to assistance in connection with the exercise of any power of appointment do not include the making of any appointment.

Commencement Information

II S. 63 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(a\)](#)

64 Functions connected with appointments to bodies to which section 58 or 60 applies

- (1) The Commission may provide chairmen and non-executive members of relevant bodies with general advice on matters relating to recruitment, selection, appraisal, training or development and conditions of service (including remuneration).
- (2) The Commission may provide persons appointed by it to be chairmen and non-executive members of relevant bodies with mentoring and other assistance in relation to the exercise of their functions.
- (3) The Commission may provide chairmen and executive and non-executive members of relevant bodies with training in connection with their respective roles and responsibilities.
- (4) Arrangements under section 63(2) or (4) may provide for the Commission to exercise functions corresponding to those in subsection (1), (2) or (3) above in relation to the persons in connection with whose appointments the Commission provides assistance under the arrangements.
- (5) In this section “relevant body” means any body in relation to which a direction is in force under section 58 or 60.

Commencement Information

I2 S. 64 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(a\)](#)

65 Prescribed functions

- (1) Regulations may make provision for or in connection with conferring functions on the Commission in relation to appointments to applicable bodies and matters relating to such appointments.
- (2) The functions which may be so conferred include—

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- (a) administering schemes relating to the payment, to chairmen and non-executive members of applicable bodies, of remuneration and allowances falling to be determined by the Secretary of State;
- (b) publishing or otherwise making available information as to the terms and conditions applying to chairmen and non-executive members of applicable bodies, including information as to such remuneration and allowances;
- (c) assisting the Secretary of State in connection with the implementation of decisions as to the payment of such remuneration to such persons;
- (d) advising the Secretary of State in connection with the payment of such allowances to such persons;
- (e) advising the Secretary of State generally on matters relating to appointments to applicable bodies.

(3) Nothing in subsection (2) is to be read as prejudicing the generality of subsection (1).

Commencement Information

I3 S. 65 partly in force; s. 65 in force for certain purposes at Royal Assent, see s. 83

I4 S. 65 in force at 1.10.2006 in so far as not already in force by [S.I. 2006/2603](#), [art. 4\(4\)\(a\)](#)

Status:

Point in time view as at 01/10/2006.

Changes to legislation:

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