



# Health Act 2006

## 2006 CHAPTER 28

### PART 5

#### APPOINTMENTS COMMISSION

##### *Delegation of appointment functions*

#### **58 Commission to exercise Secretary of State's appointment functions**

- (1) The Commission is to exercise so much of any function of the Secretary of State relating to the appointment of any persons within subsection (2), (3) or (4) as may be specified in a direction given by the Secretary of State.
- (2) The persons within this subsection are—
  - (a) chairmen and non-executive members of Strategic Health Authorities, Primary Care Trusts, NHS trusts or Special Health Authorities;
  - (b) trustees for NHS trusts or Primary Care Trusts; and
  - (c) special trustees to which section 95 of the 1977 Act applies (special trustees for university and teaching hospitals).
- (3) The persons within this subsection are chairmen and non-executive members of any of the statutory bodies listed in Schedule 5.
- (4) The persons within this subsection are chairmen and non-executive members of any other body (however established) which has functions relating to—
  - (a) health,
  - (b) social care, or
  - (c) the regulation of professions associated with health or social care.
- (5) For the purposes of subsection (4) it is immaterial—
  - (a) that a body has functions relating to matters other than those specified in that subsection, or
  - (b) that the body's functions are not exercisable only in relation to England.