

SCHEDULE 8

Amendments to legislation and related transitional provisions

Part 1

Primary legislation

The Health Service Commissioners Act 1993

15.—(1) Schedule 1 (the English Commissioner)(1) is amended in accordance with this paragraph.

(2) For paragraph 1 (appointment of Commissioners) substitute the following new paragraphs—

“**1.** Her Majesty may by Letters Patent appoint a person to be the Commissioner.

1A. Subject to paragraphs 1C and 1D a person appointed to be the Commissioner shall hold office until the end of the period for which he is appointed.

1B. That period must be not more than seven years.

1C. A person appointed to be the Commissioner may be relieved of office by Her Majesty at his own request.

1D. A person appointed to be the Commissioner may be removed from office by Her Majesty, on the ground of misbehaviour, in consequence of Addresses from both Houses of Parliament.

1E. A person appointed to be the Commissioner is not eligible for re-appointment.”.

(3) In paragraph 2 (appointment of acting Commissioners)—

(a) after sub-paragraph (1) insert—

“(1A) A person appointed to act as the Commissioner (“an acting Commissioner”) may have held office as the Commissioner.

(1B) A person appointed as an acting Commissioner is eligible for appointment as the Commissioner unless he has already held office as the Commissioner.”;

(b) in sub-paragraph (2) for the words “under this paragraph” substitute “as acting Commissioner,”; and

(c) for sub-paragraph (3), substitute—

“(3) A person appointed as an acting Commissioner shall, while he holds office, be treated for all purposes, except for the purposes of paragraphs 1, 4 to 10 and this paragraph, as the Commissioner.”.

(1) The schedule heading was amended by the Government of Wales Act 1998 (c. 38), section 112, and Schedule 10, paragraph 16(2).